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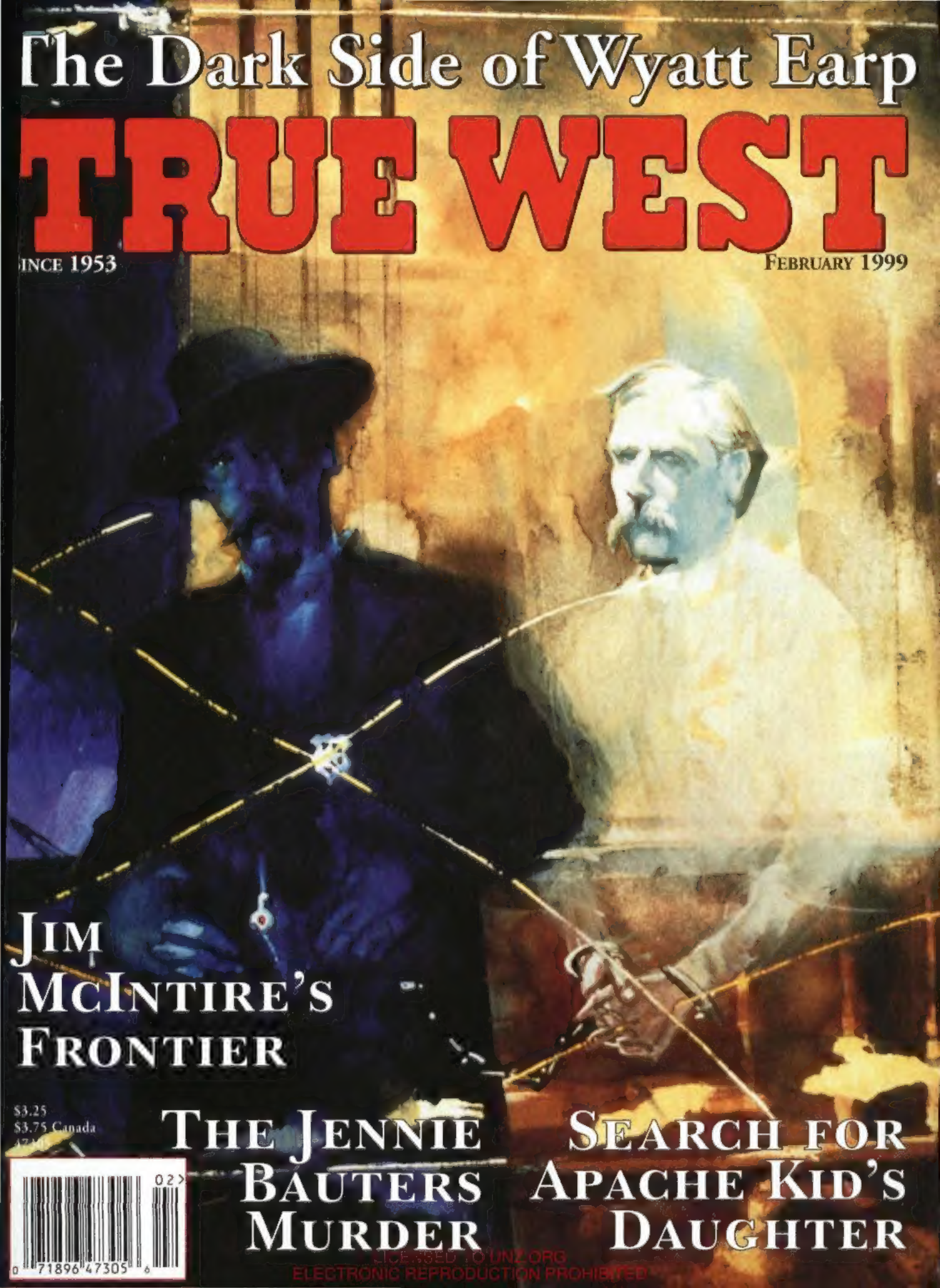

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Our Cover
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By Bob Boze Bell.

February 1999
Vol. 46, No. 2
Whole No. 370

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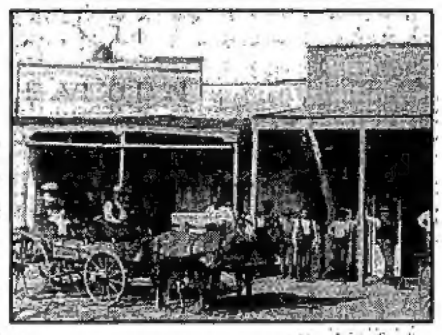

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From the Editor

Howdy, ya'll!

There's been a lot of talk lately about character, and one character in particular has been dominating the conversation. Now, I'm not talking about the shenanigans going on in the nation's capital, or the way millionaire sports figures act in public. No, I'm referring to a fella who's been dead and gone for some time now. I'm talking about Wyatt Earp.

Sitting here day after day, trying to hog-tie and wrestle history every month, it's pretty important that I keep track of what's going on. I *try* to read every new book that comes down the pike; I watch all the documentaries and movies; I attend conferences and talks; I even prowl the Internet, keeping an eye on the latest opinions and information being passed around. It seems here lately, at least in the last year or two, that Wyatt and his "character" have dominated the conversation in most of these outlets. Everybody has an opinion on the guy, ranging from steadfast lawman who could do no wrong, to flat-out murdering wretch with his hand in every pocket in town.

That he was a lawman in the West can't be denied; any little kid with a plastic badge and cap gun can tell you that. But what else was ol' Wyatt? A pimp? Card sharp? Shady real estate agent? Bully and braggart hiding behind a badge? Or, was he just a bit ahead of the curve?

Most of Wyatt's detractors (and a few of his supporters; see page 18) point out that evidence suggests he was probably all of the above. Did that make him a bad guy? Not really. Take a closer look at the circumstances and the way we view them.

Like Watergate, unraveling Wyattgate is as easy as "following the money." Wyatt, his brothers, and their families lived in the age of the boomtown. If there was a chance to make a dollar you can be pretty sure Wyatt was there. Law enforcement. Prostitution. Gambling. Sports. Real estate. Liquor. Politics.

It took a smart man to survive in places like Dodge City, Wichita, Tombstone, Denver, Alaska, and even Hollywood. Make no bones about it: the Earps were smart. But were they bad? Naw, they were just getting by, making a buck in a time when real wealth was a hit-and-miss proposition.

Life was rough for these folks. Imagine waking up every morning to the possibility that somebody was going to blow your head off or scalp ya. Imagine having to choose between bending over in a gold mine, skinning buffalo, or dealing cards to make a living. Imagine having a dispute with a group of toughs turn into a drama that would rock the foundation of your entire family. Imagine the sense of retribution. Imagine all of the variables it took to survive. Imagine trying to live up to the legend that followed you, even in your own time. What would you do?

I read, just this morning, that half of the students questioned in a recent national poll admitted to cheating to make better grades. I wonder what ol' Wyatt would think about that.

So, why do we look down on Wyatt (or Bill Tilghman, Pat Garrett, Chris Madsen, Heck Thomas, James Hickok, etc.) for what he did? Is it because we subconsciously enjoy ripping off Superman's cape and revealing the man underneath? Or is it simply too hard to put aside the twentieth century filter that we view history through? Don't get me wrong, I'm not defending the guy or what he did to survive. But was his life so important that we have to scrutinize his every move and criticize when he went astray according to our own standards? I think doing so says more about what we think of ourselves, and less about ol' Wyatt.

Marcus Huff

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MISTAKEN IDENTITY

I received your December issue and enjoyed the article "Dutchy: Indian Scout and Apache Raider, Part II," but the front cover leads you to believe the picture is of Dutchy. I believe the picture is of Dead Shot standing in the same spot as Geronimo and Naiche in a photo taken at Fort Bowie, September 4, 1886, after the surrender to Miles.

I enjoy reading your articles on the Apache wars seeing that I live in the area of Fort Bowie, the Cochise stronghold, and Fort Grant where Dead Shot was hanged for mutiny and desertion in the Cibicu Affair. Thank you for many weekends going to areas that you have written about in *True West.*—*Mark Lohn, Willcox, Arizona.*

Artist's Response: The Apache on the cover of the December issue of *True West* is Dutchy, not Dead Shot.

Many historians during their research on the Apaches have discovered that a lot of published photographs have mistaken captions. For example, the photograph published in dozens of books as being Taza, who died in 1876, is actually a picture of Noche taken in Washington, DC, in 1886. Books have photographs of Loco labeled Nana, others of Pinal as Diablo, of Rowdy as Apache Kid, of Dutchy as Dead Shot, and so on.

One who knows Dutchy's physical description will notice that my painting is accurate. I have based it on a photograph taken of him at Fort Bowie in 1886 by Baker Johnson. Historians should be careful while researching before accepting as true all photographs' captions.

As you seem to have an interest on the Cibicu mutiny, I suggest a great book on the subject, *Apache Nightmare: The Battle at Cibicu Creek,* by Charles Collins, which will be released next spring by the University of Oklahoma Press.—*Sergio Marcedo, Moorea, French Polynesia.*

SADDLE PALS By Graham Ward

LET'S SEE, OLDEN TYMES... WHEN DID I HIRE ON HERE? DO YUH REMEMBER WHEN I STARTED WORKIN' AT THIS RANCH?
DON'T REMEMBER WHEN YUH HIRED ON... YUH STARTED WORKIN' WHEN TH' BOSS SAID HE WAS GOIN' TO FIRE YUH!
Graham Ward
NO. 42 ©ROUNDUP GRAPHICS

Peg-Leg Relative

Lord Byron, the English poet, used to write about his "heritage of storms," in reference to his forebears who lived tempestuous lives. I feel the same way about several of my close kin, including "Henry Brooks: The Peg-Legged Gunman," featured in your November issue of *True West.* Ed Herring has done a masterful job in highlighting his life. Henry was just one of the rather notorious "Brooks Boys," who settled disputes with a gun. Henry's brother-in-law, Sam Baker, was cut from the same mold, and lived that rather typical Oklahoma saga of "Gunfighter turned Lawman."

The old house that Henry Brooks built for his aged mother around 1915, still exists in the Sipsey Wilderness area of the Bankhead Forest in Lawrence County, Alabama.—*George Windes, via the Internet.*

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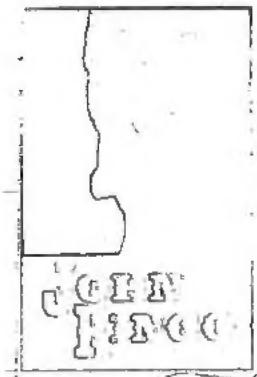

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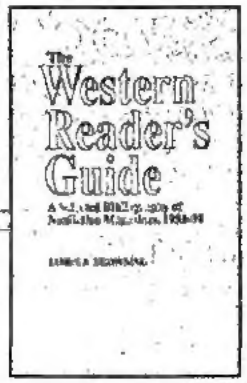

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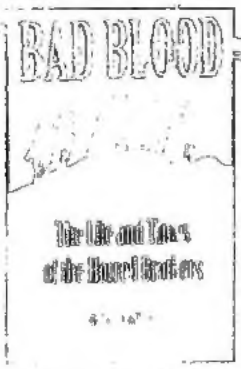

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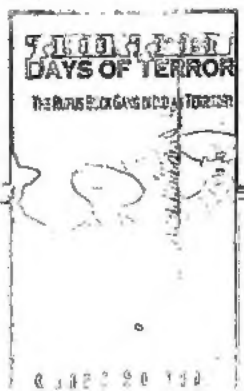

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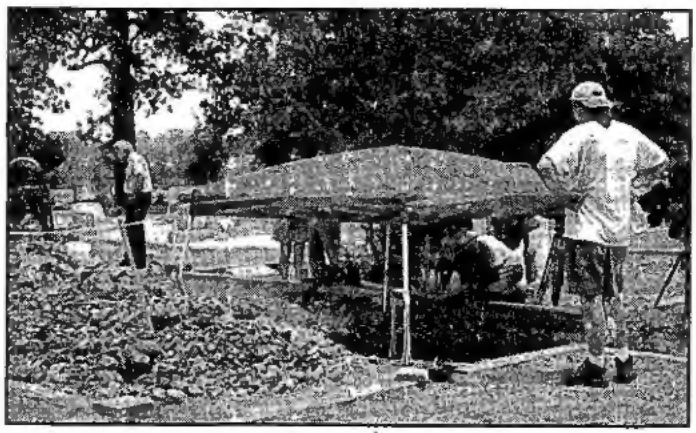
Looking for Bill Longley

By Rick Miller

On the blustery afternoon of October 11, 1878, in the small town of Giddings in south central Texas, thousands of people flooded the neighborhood to watch the exit of the notorious Bill Longley. Convicted over a year earlier for the March 1875 shotgun killing of his boyhood friend, Wilson Anderson, Longley was conveyed by wagon from his iron cage in the Lee County jail to the newly-erected gallows outside of town where a massive crowd waited.

Captured in Louisiana in June 1877, Longley immediately boasted to Texas newspapers that he was the worst outlaw that state had ever seen: thirty-two men had fallen before his guns. Certainly that was better than the measly twenty-eight attributed to his rival for notoriety, John Wesley Hardin, who himself languished in an Austin jail. As Longley's trial neared, however, he backed off his boasts, but it was too late to save him from a death sentence. Indeed, an exhaustive search indicates that he killed five men, not thirty-two, and possibly one or two more.



Author's Photo

The exhumation on July 11, 1998, of the Giddings, Texas, grave believed to hold the remains of Bill Longley.

To his credit, Longley met his fate with stoic courage. Wearing a new suit and sporting a blue rosette on his lapel, he addressed the crowd and admitted the errors of the

SHOOT FROM THE LIP

The Lives, Legends, and Lies of the Three Guardsmen of Oklahoma and U.S. Marshal Nix

by

NANCY B. SAMUELSON

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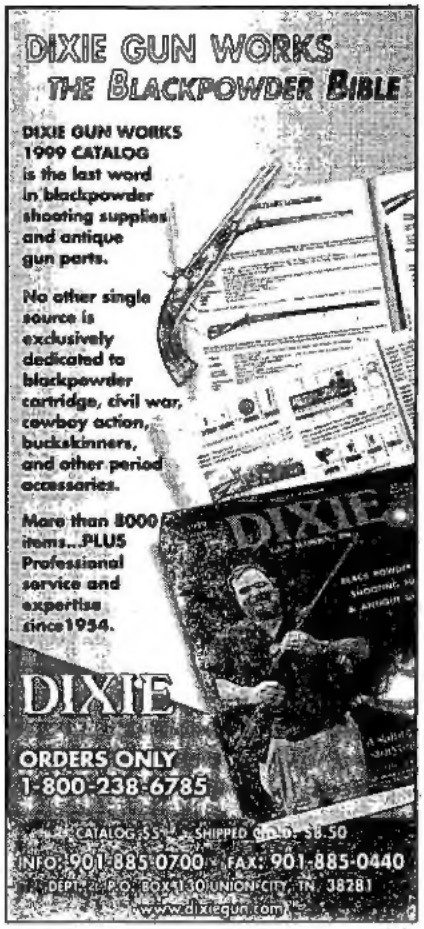
life he had chosen. Longley had converted to Catholicism as one means of preparing to meet his Maker. Stepping over, he stood calmly on the trapdoor as Sheriff Jim Brown adjusted the cap over his face and the noose around his neck. When the trap fell, the rope slipped on the crossbeam and the outlaw hit the ground, perhaps breaking a leg. Without hesitation, Brown and a deputy hauled on the rope, suspending Longley in air, and he slowly strangled to death. The order of the court had been carried out, and Brown duly noted on the death warrant that Longley's body had been buried right after the execution. Several newspapers briefly mentioned that his body had been returned to his family's place in Bell County. Thus, another badman died and was forgotten...or was he?

Campbell and Sarah Longley, the outlaw's parents, lived on their farm on the Lampasas River in Bell County, between Waco and Austin. According to family stories, Sarah Longley grieved for the one black sheep of her nine children and could not accept his fate. The family agreed to keep him alive for her, even going so far as to have letters about him sent from a daughter who lived with her family in Utah. In 1887, Campbell Longley was quoted in the *Belton Journal* as saying that the hanging of his son had been a hoax, and that a rich brother of Campbell's in California had bribed Sheriff Brown and others to go along. Wearing a special harness, a fake execution had been carried off, and Bill was now a successful cattleman in Central America. Remarkably, there was no response to that article and the issue was forgotten. Sarah Longley died in Bell County in 1890 and Campbell died in 1907. In the 1960s, the Corps of Engineers constructed Lake Stillhouse Hollow in Bell County, and the Longley farm disappeared beneath the water.

The 1887 article resurrecting Longley was not totally forgotten. In 1988 Ted Wax of Gonzales, Louisiana, published *Dead Man on*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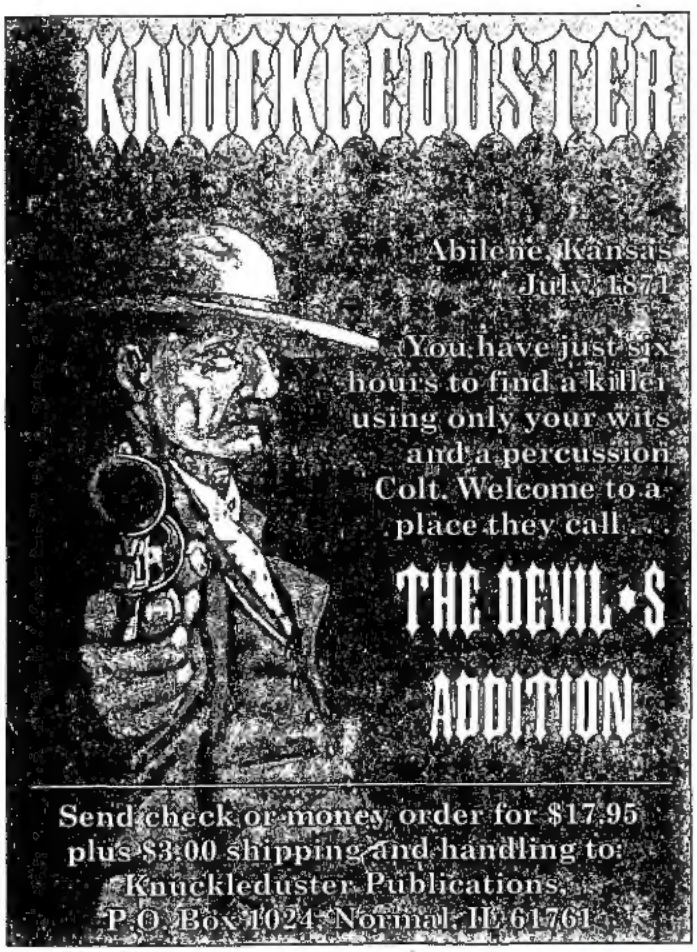
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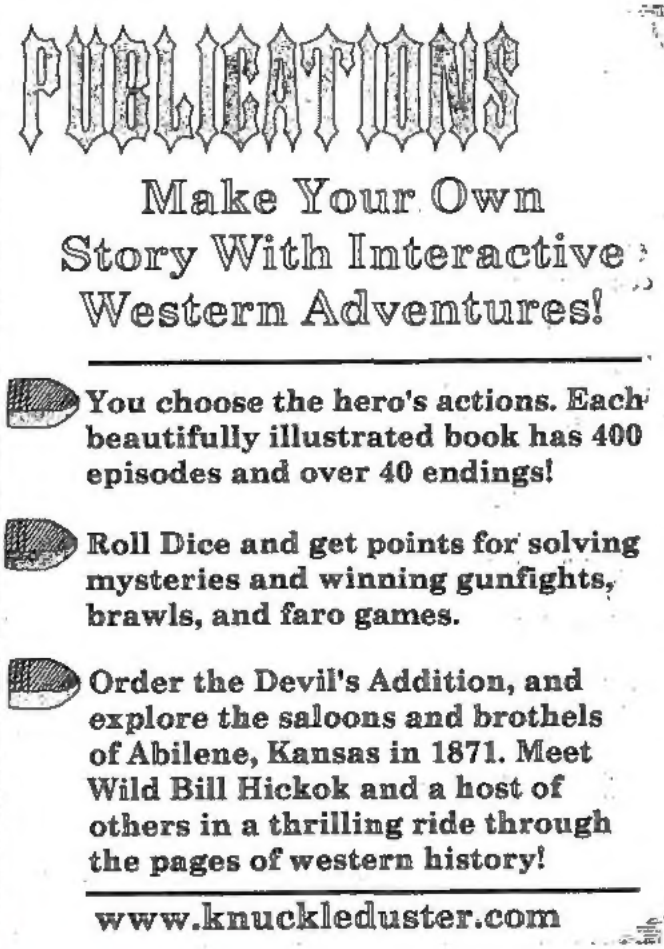
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the Bayou, claiming that Bill Longley had surfaced in Iberia Parish, Louisiana, sometime around 1886, using the name of John Calhoun Brown, Wax's grandfather. Wax based this belief on a document he found in 1952 (and which has since been discarded) written by his mother, which stated that Longley and Brown were the same person. Further, Wax claims that photographs of Brown and Longley are dead-ringers, and a comparison of Longley's handwriting with that of Brown showed similarities. Brown died in 1923.

Wax managed to interest Dr. Douglas W. Owsley, then an anthropology instructor at Louisiana State University, who did computer studies of photographs of the two men and felt that there were similarities. Owsley subsequently became associate curator of the Department of Anthropology of the Museum of Natural History at the Smithsonian Institution, and has gained a widespread reputation as a forensic anthropologist. He teamed up with Doctors Brooks and Suzanne Elwood, of the Center for Geoarcheological Studies at the University of Texas at Arlington, to see if Longley's grave could be located in the Giddings cemetery.

Between 1992 and 1995, some fifty-nine unmarked graves were located in the portion of the Giddings cemetery that had not been a part of the dedicated cemetery at the time of Longley's hanging. At this time, no one was aware of the newspaper articles that claimed that Longley's body had been returned to Bell County. Relying on a photograph ostensibly taken in the 1920s that purported to be of Longley's grave, thirty-one skeletons were exhumed, but none proved to fit Longley's description, being the wrong sex, the wrong height, the wrong race, or the wrong age. Likewise, they did not find an empty shaft filled with rocks or the remains of a hog, which would lend credence to Wax's claim. A petrified log that had been placed at Longley's grave had reportedly been moved by cemetery caretakers a number of times over the years, so the search did not include the area where a historical marker had been placed acknowledging Longley's burial in the cemetery.

The failure to find some trace of Longley was disappointing, but the Elwoods didn't give up. They used a computer to compare the 1920s photograph with present-day photographs of the cemetery, concluding that there was only one spot in the cemetery from which the older photograph could have been taken—where the memorial marker was located. Core samples indicated that there was a burial shaft at that location.

On July 11, 1998, a final attempt was made at the site of the memorial marker to locate Longley's grave. Ted Wax was present, confident that Longley would not be found. I also stood by, confident he would not be in the cemetery, primarily because of the newspaper articles that said the body had been returned to Bell County. Surely his grave, unmarked

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to hide the truth from his mother, lay under millions of gallons of water in Bell County.

Doug Owsley and the Elwoods watched, along with numerous spectators and members of the media, as a backhoe pulled up some four feet of dirt. Archeology students then went to work, slowly and carefully extracting and sifting the remaining dirt. Coffin nails were found, then skeletal remains. It took all day to carefully brush the dirt away and expose the human remains. Owsley scrutinized them and concluded that they were of the right size, race, and age to be those of Bill Longley. A rosary that had been tied on a cord around the young man's neck was located, consistent with Longley's conversion to the Catholic faith. Even more intriguing, the searchers found a small piece of artificial material, much like plastic, with a leaf design on it. Could this have been a part of the rosette that Longley wore? Everything found in the grave was consistent with the conclusion that the skeleton was that of Bill Longley; there was nothing inconsistent.

The remains were initially taken to the University of Texas at San Antonio, then on to the Museum of Natural History in Washington, DC, for further examination. Dr. Owsley hoped to do a skull reconstruction, although the skull was in pieces and had not survived the 120 years too well. The skull's teeth, however, were in good shape and could provide DNA samples for a comparison if a descendant in the maternal line of the Longley family could be located. Ted Wax shook his head, convinced that this was not the body of Bill Longley and convinced that the outlaw was in a Louisiana cemetery.

While it cannot yet be conclusively stated that the skeleton was that of the hanged Bill Longley, the evidence is strong that it is. Further examination of the remains and perhaps a future DNA comparison will solve the question once and for all.

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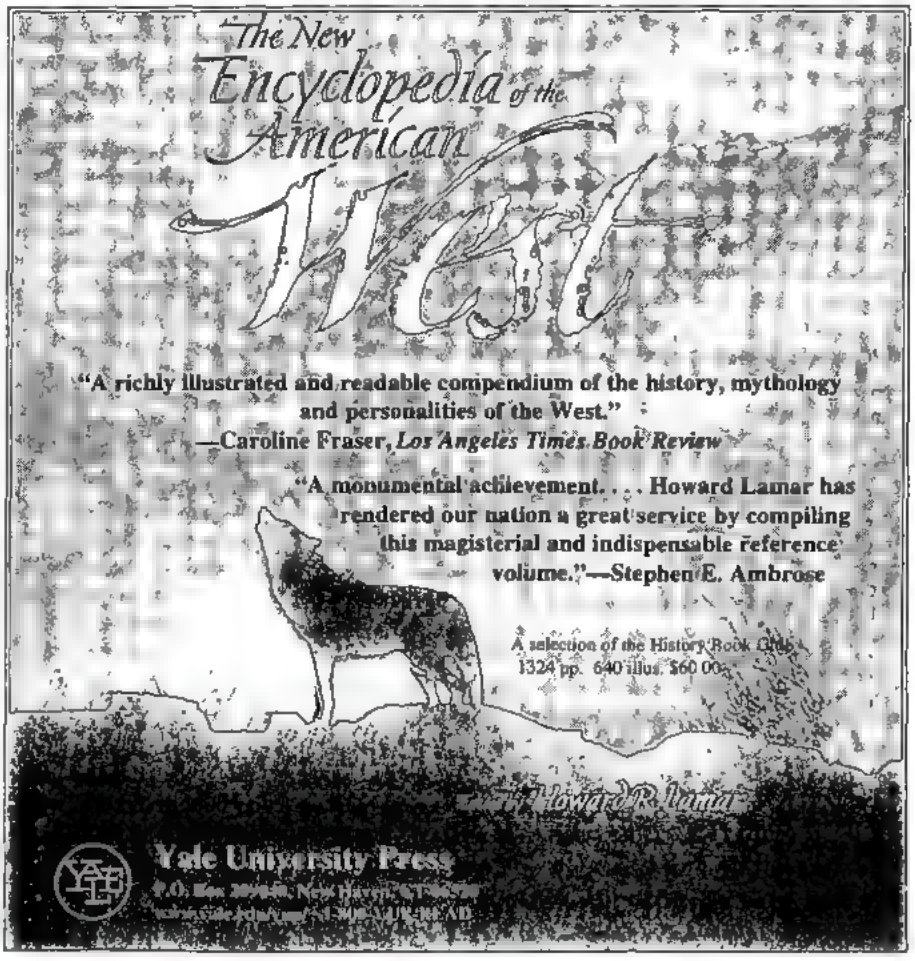
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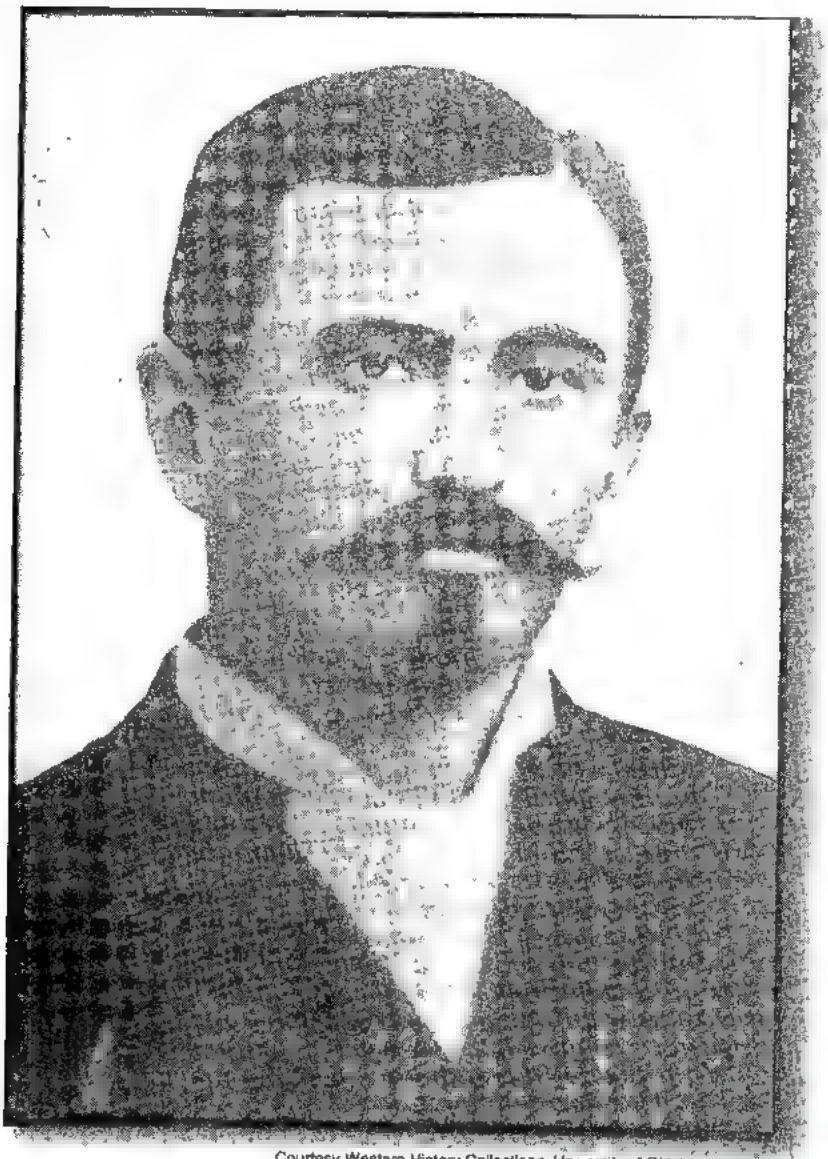
The Frontier Adventures of JIM McINTIRE

Veteran Pinkerton detective Charlie Siringo in his *Riata and Spurs* (1927) called him a "badman of the old school [who] had shot and killed several men." Eugene Cunningham, author of the seminal gunfighter tome, *Triggernometry* (1934), said he was a "very well known Panhandle gunman, a killer of very nervous trigger finger." J. Marvin Hunter and Noah H. Rose in their classic *Album of Gunfighters* (1951) echoed the description, characterizing him as "a noted Texas Panhandle gunman and killer."



Courtesy Western History Collections, University of Oklahoma Library

The famous Rose Collection of frontier photographs included this image of "Jim McIntyre [sic], noted Texas Pan-handle Gunman."

But a study of the life of Jim McIntire, this supposed gunslinger and mankiller of wide notoriety, discloses little to support such a depiction. Other than complicity in the infamous American Valley murders in 1883, there seems to be no evidence that McIntire ever killed a white man, although he was involved in several shooting scrapes and did have an adventurous and colorful career in the West as a cowboy, Indian fighter, buffalo hunter, sheepherder, saloonkeeper, lawman, hired gunman, hunted fugitive, jailhouse escapee, and professional gambler.

By R.K. DeArment

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At the height of his notoriety, McIntire was described by a newspaper in 1885 as "a remarkably fine looking young man about thirty years of age..., six feet tall, erect and broad-shouldered, [with] a pair of dark, keen, fighting eyes. The expression on his face is anything but forbidding, and his manners are very quiet, his address pleasant, and taken all in all, he doesn't look like a desperado, although he does look as if he would be a bad customer if he were aroused."

He was born in 1854 in Brown County, Ohio, the second of three sons of James W. and Grace McColgin McIntire. Christened Isaac, he rejected the name at an early age, preferring "James" or "Jim," his father's name. When young "Jim" was only nine, his mother died. His father remarried and relocated in Ironton, a small town on the Ohio River, where he opened a grocery. Beginning work at a very early age, Jim was employed in a telegraph office and later in a rolling mill. But he was an adventurous sort, a risk-taker from childhood, and, when he was about sixteen, ran off with Johnny White, a boyhood pal, to manage a traveling minstrel troupe touring the towns along the Ohio River. Later he worked on steamboats on the river, and, later still, traveled the Ohio canals with a canal boatman named Happy Joe Leffers. Boat crews during the canal-boat era were notorious brawlers who broke the tedium of a four-mile-an-hour canal passage with frequent roughhouses. Saloons clustered around the locks were hangouts for "canal bad men" who boarded boats and terrorized passengers. The rough life McIntire experienced on the Ohio River was good preparation for the violence he was destined to see and participate in on the frontier.

In 1873 McIntire and another chum, Lyman "Cash" Denny, decided to run off and become cowboys, to see life on the plains as portrayed in the dime novels they had been reading. They went down the Ohio to the Mississippi and on to Louisiana, thence up the Red River to Shreveport, where they joined a bull-drawn wagon train and walked to Dallas, Texas. "Not overburdened with baggage"—Denny had a spare shirt and McIntire an extra pair of pants—and with only two dollars between them, they continued on to Fort Worth and Weatherford, Texas, where they encountered Jack County cattleman J.C. Loving. Having recently moved his herds into Big Lost Valley, near Jacksboro, Loving was in Weatherford recruiting new ranch hands to work his spread. He took on the green kids from the East, who had no range experience but were eager to learn.

Raids on cattle and horse herds by parties of Indians from the reservations across the Red River were plaguing northern Texas cattlemen during this period. As a Loving cowboy, McIntire was expected to defend with his life the property of his employer; as a Jack County "minuteman" or "special ranger" he participated in several battles with the marauding Indians and fought alongside members of the newly formed Frontier Battalion of the Texas Rangers. He helped defend the Loving ranch house from an attack by a Comanche raiding party on July 10, 1874, a battle in which fellow cowboy John Heath was killed. The Comanches withdrew, but two days later a large Kiowa war party led by Lone Wolf confronted a combined force of Loving cowboys and Texas Rangers in the celebrated Lost Valley Fight. Rangers W.A. "Billy" Glass, Lee Corn, and George Moore were wounded early in the battle. Moore survived, but was crippled for life. Glass suffered terribly throughout the day before expiring. Ranger D.W. Bailey was killed trying to get water for his dying compatriot. Both white and Indian participants in the battle agree that Kiowa warriors horribly mutilated Bailey's body after he fell. McIntire later wrote that "they held Bailey up in full view, and cut him up, and ate him alive....To see Ed Bailey die by inches and eaten piecemeal...made our hearts quail....The effect of these disgusting movements on us was but to increase our desire for revenge, and we often had it later on."

In May of the following year, McIntire was in another Indian fight and took advantage of an opportunity to wreak some of that revenge. He was a

member of a scouting party under Ranger Lieutenant Ira Long that ambushed and killed several Indians, including a woman. McIntire claimed the woman emptied two six-shooters at the Rangers before "someone shot her in the stomach, as a squaw horsethief wasn't considered any better than a buck horsethief....Then we proceeded to skin them. I skinned the squaw.. .We tanned those Indian hides afterwards, and I made a purse out of the squaw's belly. The boys made quirts...out of the bucks' hides."

After two years of tough and dangerous work as a cowboy and Indian-fighter, McIntire, at the age of twenty-one, was a hardened veteran of the range, knowledgeable in the ways of horses, cattle, and Indians, familiar with the vast expanse of Texas grasslands south of the Red River. The great buffalo hunt was then at its peak on the plains, and, seeking quick financial profits, he decided to join in the slaughter. He outfitted at Jacksboro, hired four men as skinners, and set out for the buffalo grounds. Establishing a permanent camp at the headwaters of the Big Wichita, he began killing buffalo. Three of the men he hired, however, turned out to be more interested in plotting horse theft raids on neighboring camps than in skinning buffalo, and he had to fire them. "In this I had a bigger job than I anticipated," McIntire recalled, "for when...I ordered them to get out, they became ugly. I meant business, however, and they soon found it out. I started out by knocking one down with a gun, and had to almost kill [another] before they realized that I was running the camp...."

After the departure of the three, McIntire was left with only one skinner, Charley Buckley One day Buckley approached a large bull that had been shot and appeared to be dead and began to skin him. The bull suddenly leaped up, hooked Buckley in the groin, and threw him some twenty feet. McIntire put two more rifle balls into the animal, finally killing it, and then turned to Buckley. "I. .found that his genital organs were completely torn out....He was in a horrible condition and the nearest doctor was a hundred miles away....I picked him up and carried him to camp, a half-mile away ..." There he made a salve of buffalo marrow, rosin, and alum. He drew a silk thread from the neck band of his undershirt and with a big buckskin needle, the only one he had, set about to "perform an operation which would worry the most skillful surgeon....Every time the needle pierced his flesh his cries were heartrending....I worked away until I sewed a piece on which had been torn entirely off, and then applied the salve and bandaged the wound." He then plied his patient with whiskey until he slept. In the morning he found the appendage he had sewn on had come off. Afraid of another attachment attempt, he sewed up the wound, applied salve liberally, and kept up his whiskey treatment. In a couple of days signs of improvement were evident, and within a week Buckley was on his feet, doing the cooking. Soon he was back in the field, "as stout as ever," skinning buffalo with his old skill and enthusiasm.

McIntire found that with only one skinner the buffalo hunting business was unprofitable, so in the spring of 1876 he sold his hides and tongues at Graham City and Jacksboro, and disposed of his hunting gear at Fort Griffin, the major outfitting camp for hide hunters in Texas. Still thirsting for adventure, he joined Company B of the Texas Ranger Battalion, under

Courtesy Panhandle-Plains Historical Museum, Canyon, Texas

At Mobeetie, Texas, McIntire ran a saloon, gambled professionally, and wore a deputy sheriff star.

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the command of Lieutenant G.R. Hamilton.

One of his comrades in Company B was Newton F. Locke, a lad about his own age whom he had met at Jacksboro and with whom he would partner in several later business ventures. Another was Milton J. Yarberry, a tough customer from Arkansas who had been involved in killings in Fort Smith and Texarkana and who was destined to dance at the end of a hangman's rope in New Mexico.

McIntire put in several stints with the Rangers during the 1876-78 period, serving under company commanders Hamilton, G.W. Campbell, and June Peak, and was promoted to corporal. Much of that time his company was stationed near Fort Griffin in Shackelford County, where the Rangers tried to maintain a semblance of order in that disorderly frontier trouble spot. At the center of the Shackelford County violence was former sheriff John Larn and his cohort, John Selman. When Larn was shot to death by citizens in June 1878, and Selman fled the country, things quieted down at Fort Griffin. McIntire's company also participated in the hunt for the Sam Bass gang, then terrorizing the region, but it was another Ranger detachment that cornered Sam Bass at Round Rock in July, killing him, and broke up his gang.

McIntire left the Rangers at the end of August 1878, and, with his pal, Newt Locke, opened a saloon at Belknap. Later that fall they sold out and went to San Antonio, where they invested their saloon profits in a flock of sheep, which they drove to Shackelford County. Half the flock died in a severe winter storm, however, and the partners decided to return to the saloon business, which was, as McIntire put it, "not likely to freeze up."

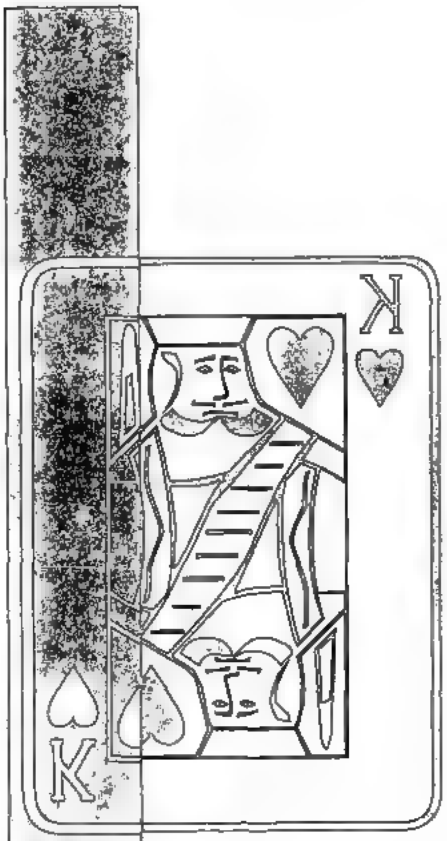
They went to Mobeetie, a rough frontier village outside Fort Elliott in the Texas Panhandle, and set up a plank bar in a vacant building. Business was good, but the adventure-seeking McIntire soon became bored, sold out his interest to Locke, and began gambling professionally. The green-felt tables of frontier towns provided an exciting, if precarious, livelihood, and McIntire followed the career most of the rest of his life.

In early June 1879, word reached the Panhandle that Sheriff Bat Masterson of Ford County, Kansas, was recruiting fighting men in the interest of the Santa Fe Railroad in its conflict with the Denver & Rio Grande over access rights to the rich silver strikes at Leadville, Colorado. McIntire went to Dodge City and joined some fifty gunmen under Masterson to "fight" the farcical, virtually bloodless, Royal Gorge War.

Camping near Tascosa, Texas, on his return trip, McIntire was approached by a party of heavily armed men who turned out to be members of a vast outlaw organization, numbering almost two hundred, and headed by John Selman, the Fort Griffin fugitive. The outlaws said they were planning a raid on Mobeetie and invited McIntire to join them. He declined. Arriving back in town, he reported the meeting to County Attorney Moses Wiley, who passed the information on to Major John B. Jones of the Texas Rangers. There was some concern for a time, but Selman's "Great Outlaw Confederacy" fell apart and the Mobeetie raid never occurred.

In the fall of 1879 McIntire took a job as deputy to Wheeler County Sheriff Henry Fleming. He later claimed that Wyatt Earp and "Mysterious Dave" Mather showed up in Mobeetie peddling gold bricks about this time and he ran them out of town, but this story has never been confirmed.

McIntire did not let police work interfere with his primary occupation of gambling. In this he was joined by Sheriff Fleming, who once won a herd of eight hundred cattle at a gambling table, and other officials, like County Clerk A.D. "Frosty" Tomb. McIntire and Tomb were considered the leading lights of the gambling rooms, where they mixed with a colorful coterie of soiled doves and dance hall damsels that included Mother Lemly, Dolly Varden, Matilda Wave, and Frog Mouth Annie. One of the girls, Belle Hines, filed a ridiculous complaint against McIntire in September, charging him with "using Obscene language" and being "loud and vociferous in her presence."



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Like McIntire and Courtright, W.C. Moore became a fugitive from justice after the American Valley affair. He was never brought to trial.

In November a complicated legal imbroglio erupted in Wheeler County involving county and federal officers and the United States Army. It began when a party of federal officers led by U.S. Marshal A.B. Norton rounded up and arrested a number of local merchants, charged them with selling tobacco to cattlemen without a license, and lodged them in the Fort Elliott guardhouse. Fearing violent action by an aroused citizenry, West Point graduate Lieutenant H.O. Flipper, the first black U.S Army officer, loaded the prisoners into wagons in the middle of the night and started for Indian Territory. A posse that included Judge Emanuel Dubbs, Sheriff Fleming, and Deputy McIntire overtook Flipper's party and demanded the release of the prisoners on a writ of *habeas corpus*. After a tense confrontation which almost led to bloodshed, Flipper released the prisoners to the county officers.

Jim McIntire played a minor role in this affair, but it is significant to his story that one of Marshal Norton's deputies in the Wheeler County raid was Timothy Isaiah "Jim" Courtright, a man with whom McIntire would be involved in the most dramatic events of his life.

Early in 1880, McIntire trailed Tom Henry, John Dorsey, James West, and William Randall, suspected horse thieves, to Las Vegas, New Mexico. But before he arrived in town his quarry precipitated a wild gunfight in the Close and Patterson saloon. Randall and Town Marshal Joe Carson were killed and two other outlaws wounded. On the night of February 7, a mob hanged Henry, Dorsey, and West from a windmill in the Las Vegas Plaza.

McIntire found Las Vegas to be a wide-awake town, offering plenty of gambling opportunity and all the excitement he craved. Within a few months he was established there. In December 1880, a posse led by Lincoln County Sheriff-elect Pat Garrett arrived with outlaws Billy the Kid Bonney, Dave Rudabaugh, Tom Pickett, and Billy Wilson in tow. When Garrett loaded his prisoners on a train for conveyance to Santa Fe, a mob of Hispanics, infuriated over Rudabaugh's implication in the murder of one of their number, threatened to overwhelm the officers and take the prisoners by force. At a critical moment three heavily armed Anglo sporting men, McIntire, George Close, and George Poindexter, appeared on the scene. "They came in behind the mob," said Jim East, one of Garrett's deputies, "and had it between us and them, and that made the mob take notice." McIntire said the potentially explosive situation was defused when the crowd saw him. "I had my clothes and boots full of six-shooters," he recalled. The train pulled out without further incident.

Soon afterward McIntire accepted an appointment as city marshal at East Las Vegas. "I threw the town wide open and allowed all kinds of gambling," he said. "The streets were crowded with monte men, sluice games, shell men and fakirs..., and I permitted them to 'whoop it up' so long as they submitted to being arrested and fined regularly for the support of the marshal and the justice of the peace." William Steele, Jr., was the judge who determined before a court hearing the extent of the accused's "pile" and then fined him that amount, leaving him a couple of dollars for a fresh start. "Our policy was to turn over one dollar to the county and divide the balance," said McIntire. "We were doing a land-office business:..."

The marshal's job may have been lucrative, but McIntire said he tired of it "and threw it up" to spend full time at the gambling tables. A few months later, when he neglected to pay the usual gambling fines, he was arrested and charged with "keeping a gambling table" and "breaking the Sunday law."

In 1882 McIntire moved down the Santa Fe line to Socorro, New Mexico.

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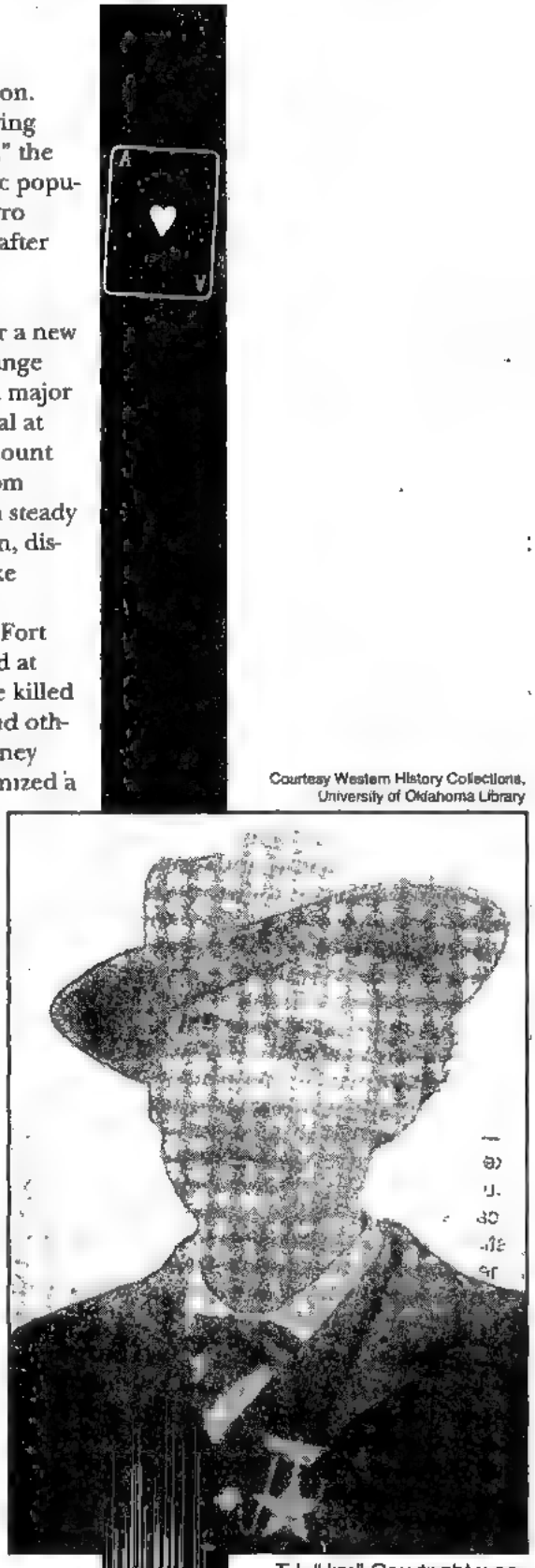
There, in partnership with George Close, he opened a gambling saloon. During this period a vigilante organization was active in the fast-growing railroad town. Calling themselves "The Socorro Committee of Safety," the vigilantes hanged several Mexican-Americans, terrorized the Hispanic population, and became notorious throughout the territory as "The Socorro Stranglers." McIntire and Close incurred the wrath of the Stranglers after they protested the hanging of one of their monte dealers.

McIntire had acquired a wife, a woman named Kitty, by this time. Deciding it was time to get out of Socorro, he and his wife headed for a new silver mining camp called Lake Valley, then booming in the Black Range farther south. There, lawyer and newspaperman Albert J. Fountain, a major investor in the Lake Valley mines, got McIntire appointed city marshal at three hundred dollars a month. To earn this salary, an enormous amount for the day, McIntire was expected to protect the mine properties from depredations of outlaws infesting the area "He holds the reins with a steady hand," reported a visitor to the town in November 1882, but Fountain, dissatisfied with McIntire's work, hired another man, and for a time Lake Valley had two city marshals.

The new lawman was T.I. "Jim" Courtright, former city marshal at Fort Worth, whom McIntire had first known at the time of the Norton raid at Mobeetie three years before. At Lake Valley Courtright is said to have killed several outlaws in running gun battles, but in the view of Fountain and others, Jim McIntire was entirely too cozy with members of the John Kinney outlaw gang headquartered in the area. In early 1883, Fountain organized a force of territorial militia and declared war on the outlaws. On March 22, suspected Kinney gang members Butch Hill, John Watts, and Jimmie Hughes were shot to death by Fountain's militia while "attempting to escape custody." Their bodies were left lying on a road near Lake Valley as a warning to other malefactors. McIntire, who knew all three and considered them "respectable citizens as far as respectability went then," brought the bodies into town and arranged for a decent burial.

Having crossed Fountain, McIntire lost his lucrative position at Lake Valley. When he moved on to Kingston, Jim Courtright, now a close friend, went with him. During the Civil War, Courtright had served under renowned Union General John A. Logan, and had maintained contact with him in later years. Logan went on to a successful political career and twice was elected to the U.S. Senate. In 1884 he would be a top candidate for nomination as the Republican presidential candidate before accepting second spot on the ticket in James G. Blaine's unsuccessful bid for the White House.

In the spring of 1883, however, Logan was concerned with a business venture in New Mexico. Cattlemen John P. Casey and William C. Moore, owners of the American Valley Cattle Company in the remote reaches of western Socorro County, were negotiating sale of their holdings to Logan and other eastern investors for a reported $600,000. But the American Valley operation was plagued by rustlers against whom Casey and Moore, commissioned officers in the New Mexico Volunteer Militia, had been carrying on a campaign for months. When, together with an entourage of dignitaries that included Alexander L. Morrison, U.S. marshal for New Mexico, Logan arrived in Albuquerque for a tour of the ranch, he made it clear the rustler problem must be resolved for the sale to go through. Casey and Moore needed tough gunmen and fast action. Logan's old pal, Jim Courtright, and Courtright's current sidekick, experienced lawman Jim McIntire, were available and the ranch owners quickly secured them deputy U.S. marshal commissions from Morrison. While John Casey prepared to escort Logan to the ranch, Moore gathered a party that included Courtright, McIntire, Casey's brother James, Dan McAllister, and Mueller Scott, and hurried ahead to



Courtesy Western History Collections, University of Oklahoma Library

T.I. "Jim" Courtright was McIntire's boon companion on both sides of the law. He was ultimately shot and killed by Luke Short.

their ranch headquarters on Largo Creek.

Homesteading nearby were Alexis Grossetete and Robert Elsinger, two young men suspected by Casey and Moore of aiding and abetting the rustlers, who had ignored demands by the ranch owners to move out. On May 6, 1883, Grossetete and Elsinger were shot to death. Within a few days a grand jury in Albuquerque heard testimony that the murders had been committed by the Casey-Moore combine. John P. Casey, Courtright, and McIntire hurried to Santa Fe, sought an audience with Governor Lionel A. Sheldon, and pleaded their case. The governor announced his belief in Casey's innocence, but avoided mention of the guilt of Courtright and McIntire.

On May 25, Jim Casey, Moore, Scott, Courtright, and McIntire were indicted for first-degree murder by the grand jury. Casey and Scott were quickly arrested and jailed, but Moore, Courtright, and McIntire skipped town. The two Texas gunmen returned to Lake Valley where officers arrested Courtright, who soon escaped with the help of McIntire. In June the two Jims were back in Texas, stopping in El Paso on their way east. Back in New Mexico, James Casey and Mueller Scott twice stood trial for the American Valley murders in October, both cases ending in hung juries. On October 29, Governor Sheldon offered rewards of $500 each for Moore, Courtright, and McIntire. Moore had vanished. Although reportedly seen years later in the state of Washington and in Alaska, he was never apprehended.

Courtright soon settled back in his old haunts at Fort Worth, while McIntire took up his gambling trade again at Wichita Falls, Texas. Tipped off that New Mexico officers were closing in on him, McIntire departed quickly in October, met his wife in Shreveport, and went on to New Orleans. There they boarded the riverboat *Will Kyle*, bound for Cincinnati. On November 15 the boat struck a log near Australia, Mississippi, and sank close to shore. The McIntires and the other passengers spent four days in the cane brakes before being rescued.

Author's Collection

Robert Elsinger (left) and Alexis Grossetete were the victims in the notorious American Valley murders.

The following year McIntire returned to Wichita Falls where he ran a gambling game in Gus Newby's White Elephant Saloon. On October 16, 1884, Harry Richmond, Albuquerque chief of police, arrived at the Texas Ranger camp near Wichita Falls with a requisition from Governor Sheldon for McIntire's arrest. Rangers at Fort Worth held similar papers for Courtright. On October 18, the Rangers, under the command of Captain G. H. Schmitt, made coordinated arrests, one squad taking McIntire into custody at Wichita Falls, while another captured Courtright at Fort Worth.

The Rangers took McIntire to Fort Worth to find the city in great excitement. Shortly before their arrival, Jim Courtright, with a brace of pistols supplied by friends, had thrown down on his Ranger guards and escaped. McIntire was jailed, but the authorities, fearing mob action to free him, moved him to Decatur and a facility considered more secure while his lawyers fought extradition to New Mexico.

On December 11, 1884, McIntire escaped from the Decatur calaboose. According to a newspaper report, he and Courtright, "armed to the teeth," met the next night in Fort Worth, took drinks with friends in a saloon, purchased a quart of whiskey each, and departed for their "hiding place in...the thickets of Tarrant County." The fugitives split up. Courtright headed for Walla Walla, Washington, where he reportedly remained with his family for more than a year. McIntire stayed in Fort Worth for several weeks, hiding out in the opera house and the homes of friends. In early 1885 he returned to the gambling tables, but kept on the move, in constant

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fear that someone would betray him for the reward on his head.

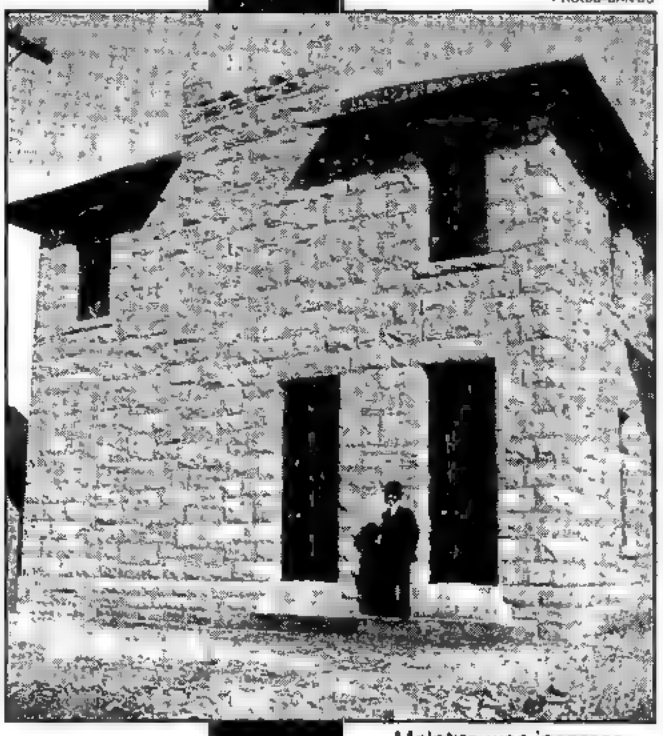
After a few months he gave up and went to New Orleans and booked passage for Central America. Before he could board ship, however, he was recognized, and on April 20, 1885, New Orleans police arrested him. He was jailed in the Parish Prison where he remained for more than a month while officials argued over who would pay the expenses for his return to New Mexico. Finally, in late May, Louisiana officers took him to Albuquerque by a circuitous route to avoid Fort Worth and a possible rescue attempt by his friends. He was released on $5,000 bail to await trial.

When that trail was held, in October 1885, no witnesses appeared for the prosecution and a frustrated district attorney requested dismissal of the charges. Jim Courtright, still in hiding in the Northwest, heard the outcome of McIntire's case, and surrendered to New Mexico authorities. Charges against him in the American Valley murders were also dropped in early 1886. Courtright returned to Fort Worth where on February 8, 1887, Luke Short shot him to death in a celebrated gunfight.

McIntire followed his professional gambler's career and in the 1880s and 1890s became a familiar figure in the gambling saloons of El Paso, Amarillo, Tascosa, Panhandle City, and other wide-awake west Texas towns. There is no record he ever pinned on a badge again, but on at least one occasion he assisted a lawman in a difficult arrest.

When Deputy Sheriff Eben F. True was stabbed in an Amarillo saloon, Potter County Sheriff Jim Gober, hobbling on crutches from an injury of his own, called on McIntire, whom he considered "a very dependable friend," to help him arrest Mack Moore, True's assailant. They followed Moore to a house where he had taken refuge behind a locked door. There, Gober said, McIntire, "six feet tall [weighing] two hundred pounds..., a cool, level-headed man..., hit the door running at full speed" and, with "his gun fully cocked" assisted the sheriff in the arrest.

Courtesy Albuquerque Museum Photoarchives



McIntire was incarcerated in the Bernalillo County jail at Albuquerque, New Mexico, before his trial for the murder of Grossetete and Elsinger.

At Harrold, a railroad town in Wilbarger County, McIntire engaged in his only admitted gunfight. As a result of a gambling dispute, he said he shot a man named Johnny Davidson through both arms. Assault charges were dismissed, he said, but he was fined $35 for shooting craps.

In September 1893, McIntire participated in the Cherokee Strip land run and was an early resident of Woodward, Oklahoma Territory, where he opened a saloon and cold storage house. He sold out in 1898 and spent some months gambling with the high rollers in Hot Springs, Arkansas, before returning to Oklahoma, where he supervised gambling houses at Guthrie and Mountain View.

In 1901 an epidemic of smallpox hit Mountain View and McIntire fell victim to the dread disease. In his delirium, he had what is now called a "near-death experience" in which he thought his spirit departed his body after death. He was so impressed by his feverish visions that, after recovery, he wrote a book describing them. Privately published in 1902 and entitled *Early Days in Texas: A Trip to Hell and Heaven*, the book fortunately also included many accounts of McIntire's adventures on the western frontier and became a valuable addition to our knowledge of this exciting period.

McIntire seems to have dropped completely from sight after publication of his book and his last years are wrapped in mystery. His place of death has been reported by western historians as El Paso, Kansas City, Canadian, Texas, and Woodward, Oklahoma, and the time as somewhere between 1910 and 1916.

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The Case Against Wyatt Earp

First, a confession: I am not an Earp Expert (unless you define expert as a man who has made all the mistakes which can be made in a very narrow field). No, I am an Earphead. I love Wyatt Earp. I think he was brave, I believe he was courageous, and I know he was bold.

But as we have long suspected, our hero was not exactly perfect. As the *vaqueros* were so fond of saying: "Great men are but life-sized and most of them, indeed, are rather short." We'll take short, but the trouble is, the more we find out about our Great Man, the more we wonder why Stuart Lake's tome wasn't entitled *Frontier Pygmy* or, *The Incredible Shrinking Lawman.* Still he endures (a rumored twelve new Wyatt books are in the works even as you read this).

Two recent books have added much new material to the record. First came Casey Tefertiller's *Wyatt Earp: The Life Behind the Legend,* followed by Steve Gatto's *Wyatt Earp: A Biography of a Western Lawman.* Both were published in 1997 and both have numerous tidbits of new information that shine a much needed flashlight into the darker corners of the well-known story.

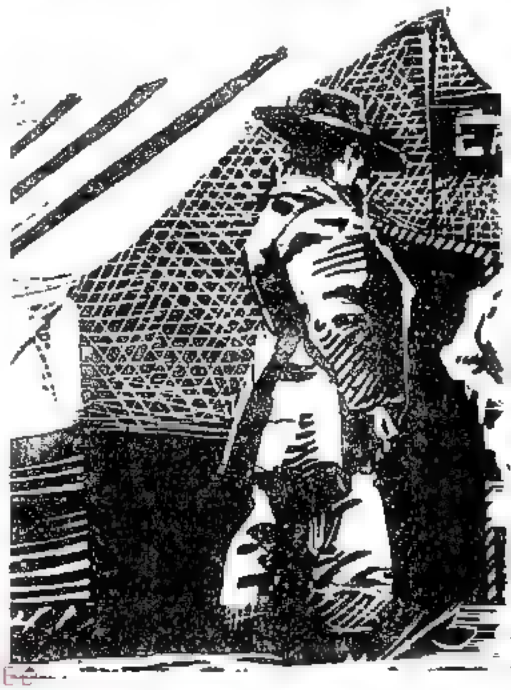
For Wyatt researchers and Earpheads the big question remains: can the various rabid factions, who view each other as blind men in a dark room, looking for a black hat that isn't there, objectively look at Wyatt's record, put down their petty differences, and come to a clear-headed consensus about his controversial life?

Probably not.

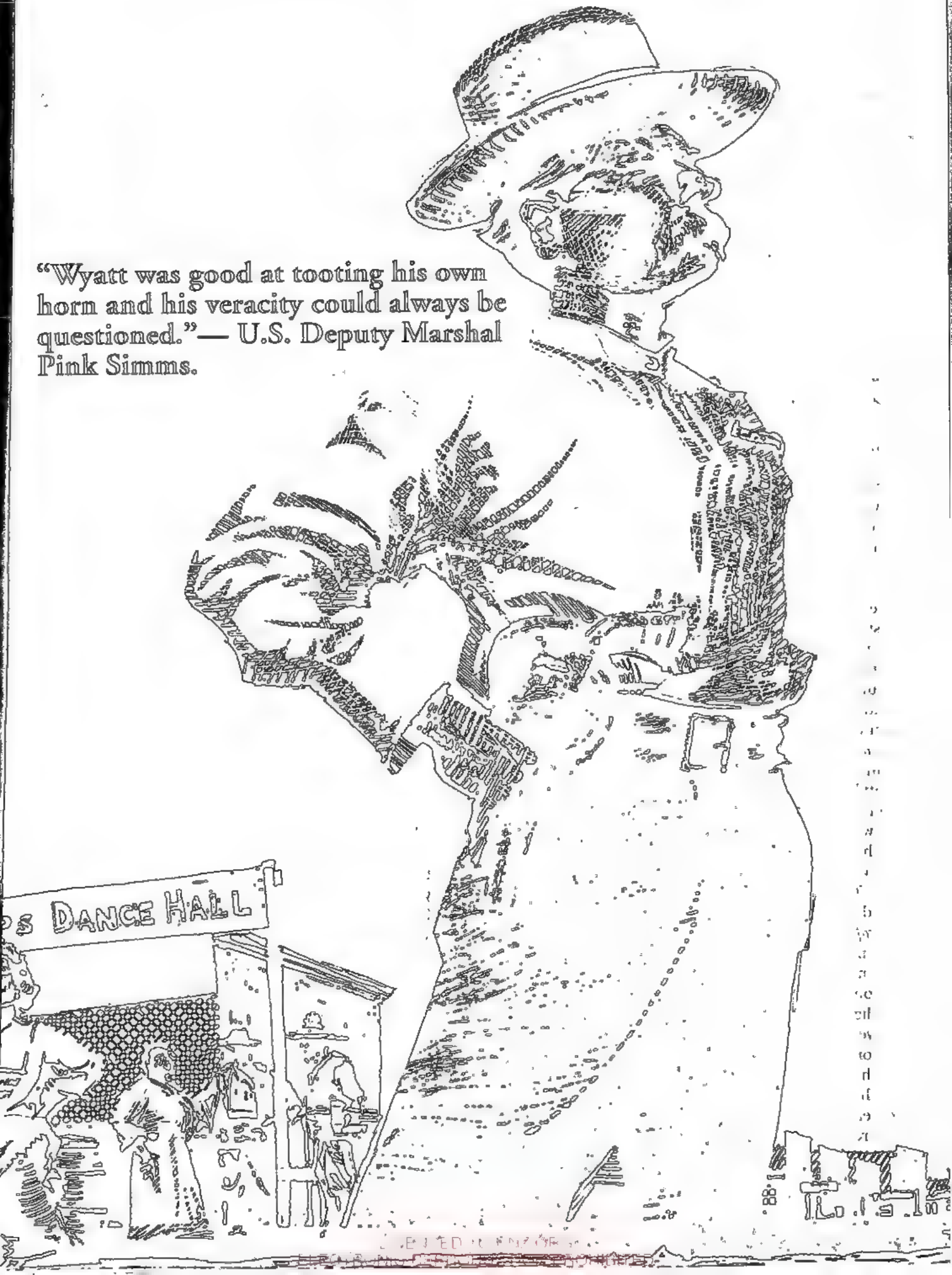
The reason for this has more to do with big egos than history, but unfortunately, "history" doesn't cooperate very much either. I have to agree with fellow cartoonist Sir Max Beerbohm who said, "There is always something rather absurd about the past." We Earpheads (with the big egos) think we have it nailed down, but then a new find here and a long-believed truth there is exploded and the next thing you know, all of our hard work is itself history. Or worse: doesn't sell!

In addition, historical events can be subtly bent and shaped to suit almost any author's agenda. Case in point: In Stuart Lake's *Frontier Marshal,* the author quotes the *Tucson Star* regarding Wyatt's movements after the killing of Frank Stilwell. Quoting from the book, "The sheriff made a weak attempt to arrest the Earp party, but Wyatt Earp told him he didn't want to see him. The Earp party then got their horses and rode slowly out of town." What the *Star* actually said was, "The sheriff made a weak attempt to arrest the Earp party, but Wyatt Earp told him he didn't want to see him. The Earp party then got their horses and rode *quickly* out of town [emphasis added]." By changing one key word in the dispatch, Lake changes the entire meaning and convincingly proves Mark Twain's adage that "choosing the right word is the difference between lightning and lightning bug." A man who rides "slowly" out of town is brave, courageous, and bold—he's daring his adversaries to try and stop him. On the other hand, a man who rides "quickly" out of town is not so brave, kind of sneaky, and about as bold as a lightning bug.

Of course, Lake is not alone. Much of Earp literature is tainted by the choosing of words. If our hero wanders aimlessly he is a "footloose wanderer" but if one of his adversaries does the same thing he's a "saddle bum." If our hero shoots someone down to avenge a wrong,



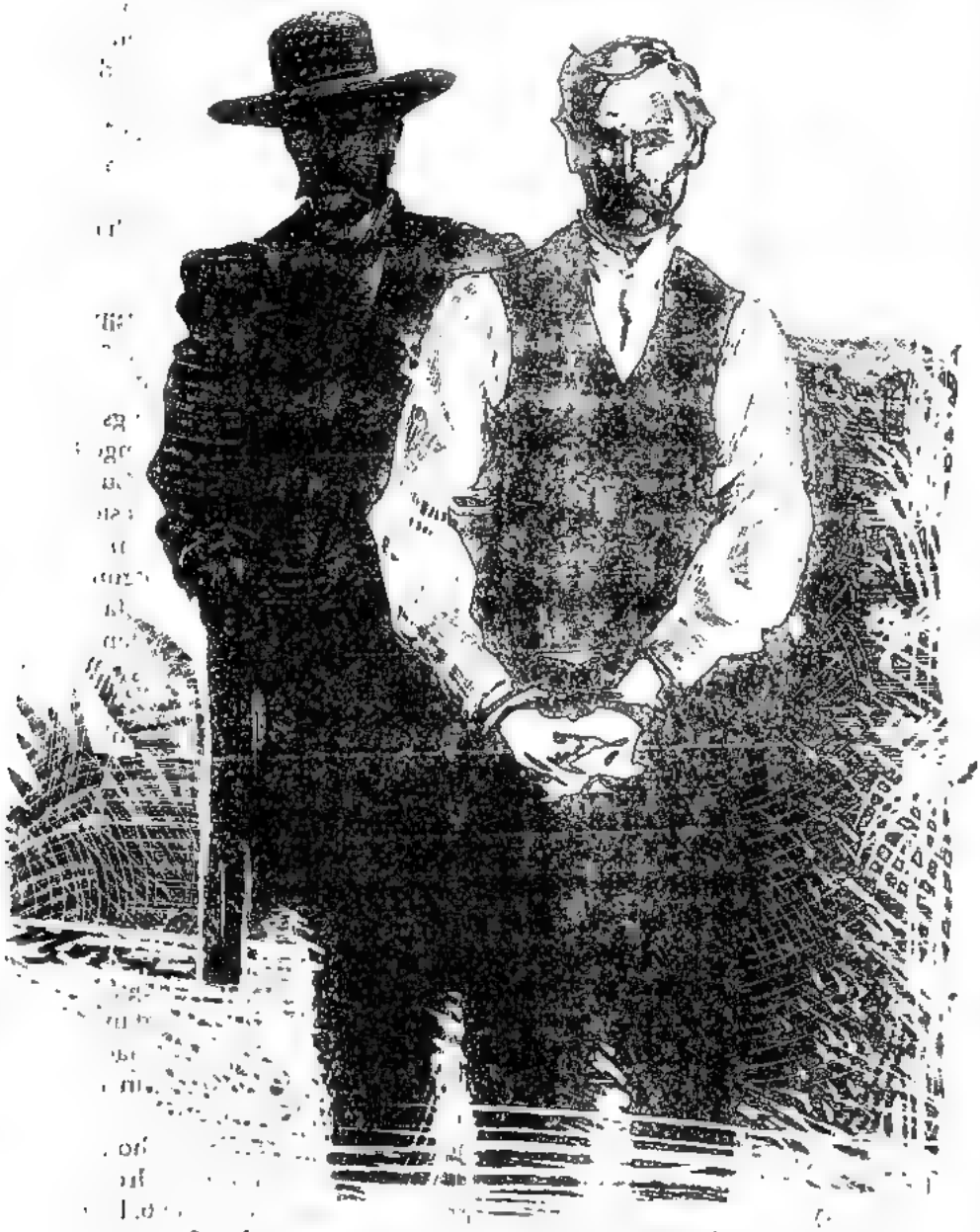
By Bob Boze Bell



"Wyatt was good at tooting his own horn and his veracity could always be questioned."— U.S. Deputy Marshal Pink Simms.

he's on "a vendetta ride," but if his enemies have the audacity to do the same thing, they are "cold-blooded killers."

And, as if that wasn't enough, so many accepted "facts" about Wyatt's life and times are suspect. In book after book, and in television docu-



mentary after documentary, much is made of the cowboys in Cochise County being Southerners and Democrats, while the Earps and their allies were Northerners and Republicans. Never mind that the Earps lived in Missouri for a time, but what does one make of Virgil Earp's interview with the *San Francisco Examiner* on May 27, 1882, when Wyatt's older brother said, "I am Republican. My brothers are Democrats."?

Even when we strip Wyatt's life story down to the basic "facts," by taking out all the hero-posturing by the novelists who loved him and stripping out all the hero-bashing by the researchers and writers who hate him, there is still a disturbing amount of dirt left over. In fact there's so much left over, there seems to be two Wyatt Earps! One was a bona fide brave, efficient officer of the law, and that's the one we all admire and celebrate. But there is a growing body of hard evidence about the other Wyatt Earp that needs to be dealt with. So, without excuses or rationalizations, let's take a hard look at Wyatt's dark side.

The Dark Wyatt In Toto:

- March 14, 1871: A petition and affidavit was filed in court against Wyatt Earp in Lamar, Missouri, making the claim that Wyatt, as constable, collected over $200 for a new school building and then left the state with the money.
- March 31, 1871: A second Petition for Attachment was filed against Wyatt claiming the young constable had made a false return to the court when he erased the word "seventy" from his endorsement and replaced it with the word "fifty-five," thereby allegedly pocketing the extra fifteen dollars.
- April 14, 1871: Wyatt Earp was charged with horse stealing in Arkansas and his bail was set at $500. Wyatt was never tried for the crime because he skipped bail.
- June 12, 1872: An "Execution For Costs" was issued by the clerk of the court in Lamar. It ordered the sheriff to seize the "Goods, Chattels, and Real Estate" of Wyatt S. Earp and James Maupin. But there was nothing to collect because Wyatt Earp had skipped town.
- May 1874: Several women who used the name Earp in Wichita, Kansas, were considered prostitutes. Bessie Earp, probably James Earp's wife, was fined twice for prostitution. Another woman named Sally Earp was fined for a similar offense. James Earp was a saloonkeeper and probably ran a string of women. In July, a woman named Eva Earp was also fined for prostitution. As a policeman, Wyatt at the very least turned a blind eye to his brother's business, and it is not a long stretch to assume he may have actually participated in the business. It was not uncommon for cattletown policemen to settle cowboy-prostitute disputes. Consequently, Texas cowboys coming up the trail, referred to virtually *all* Kansas lawmen as "Fighting Pimps."
- April 2, 1876: Wyatt got in a fistfight and was dismissed from the police force because he was offended that someone had the nerve to insinuate he would bring

his brothers onto the force if he could (and the irony is, given the chance, he probably would have!). Earp is fined and kicked off the force.

• May 22, 1876: In Wichita, the city council accepted the police committee's recommendation, which stated that Wyatt Earp and John Behems had been collecting money in the town and that they had failed to turn it over to he city. Wyatt skipped town and left for Dodge City.

• June 19, 1881: Virgil Earp arrested Wyatt Earp in Tombstone, Arizona, for disturbing the peace and fighting. He was taken before A.O. Wallace's court. Wyatt pleaded guilty and was fined twenty dollars.

• October 26, 1881: Just prior to the famous gunfight in Tombstone, Wyatt Earp attacked Tom McLaury, while the latter had his hands in his pockets. Wyatt told the unassuming McLaury, "Make a fight right here!" and without warning, slapped the young cowboy in the face with his left hand and grabbed his pistol with his right. When Tom made no reply, Earp hit him on the head with his six-shooter and walked away, leaving the cowboy stunned and bleeding.

A Predilection to Fight:

One eyewitness testified that as the Earps and Holliday neared the cowboys on the afternoon of October 26, 1881, one of the Earps said, "Let them have it," and that Doc replied, "All right."

An Odd Mission Statement:

When Sheriff Johnny Behan told the Earps he had disarmed the cowboys, Wyatt claimed he and his brothers believed him. So, if Virgil Earp believed Behan why did he tell the cowboys, "Throw up your hands; I have come to disarm you."? You can't have it both ways: If it was the intent of the Earps to disarm the cowboys, and the Earps believed they had been disarmed, why did they walk on?

The Spicer Hearing:

In his prepared statement, Wyatt Earp misrepresented himself constantly. He claimed he was the city marshal of Dodge City, but he never was. He claimed he was employed by the city since 1876, yet he was only there seasonally. He made the exaggerated claim that Ike Clanton was "the chief amongst the cowboys," yet there is no convincing argument that Ike ever was a "chief" of anything (except maybe Chief of The Idiots). In fact, at the time of the shooting, neither the McLaurys nor the Clantons were wanted in connection to any previous crime.

• November 18, 1881: Wyatt Earp and Doc Holliday were thrown in jail at Tombstone because of the preponderance of evidence that seemed to show they committed murder in the recent streetfight. In Tucson it was reported: "It is rumored that a party of roughs are being recently organized here for the purposes of making an effort to release Doc Holliday and Earp from the Tombstone jail."

• January 1882: Virtually anyone remotely associated with the Earps was trounced at the polls. The *Tombstone Nugget* asserted that a vote for the Republican party, was in fact, a vote to allow the Earps to have influence in the city. The Republicans were swept by Democrats in almost every major office in the city. In fact, the trend was territory wide, as the entire territory of Arizona seemed to be voting against the Earps and their tactics.

• February 1, 1882: Both Wyatt and Virgil resigned their positions as deputy United States marshals. Allegedly their resignations were offered because of criticism from the people of Tombstone that they were using their official office to persecute their personal enemies.

• March, 1882, The Vendetta Ride: Wyatt Earp and his vendetta posse shot and killed an unarmed Florentino Cruz because Wyatt believed he was "Indian Charlie," the paid lookout in Morgan Earp's assassination. No proof that Florentino Cruz was, in fact, Indian Charlie has ever been found.

The Alleged Killing of Curly Bill:

Wyatt Earp is the only source for the information that Curly Bill Brocius was killed at Iron Springs. Over the years, Wyatt Earp changed the story of the killing. At first Curly Bill fires at Wyatt with a Winchester. Later, Wyatt corrects this version and says Curly had used a shotgun stolen in an earlier robbery. In fact, a Wells, Fargo shotgun was stolen in a stage holdup in January 1882. Wyatt also claimed that the men who held up the stage were Frank Stilwell, Pete Spence, Pony Deal, and Curly Bill. Only Pony Deal was actually suspected in the robbery. Earp was evidently adding the other names to make a better story.

As to the stolen shotgun, Wyatt said, "...I saw the Wells, Fargo plate on the gun Curly Bill was using...." The shotgun Wyatt envisioned in the hands of Curly Bill had in fact been missing, but the *Nugget*, in an article entitled "The Missing Shotgun," had reported the shotgun found two weeks prior to the Iron Springs shoot-out. So, in 1896, long before Stuart Lake, Wyatt was already embellishing facts to create a better story line.

Friends Like This:

Doc and Wyatt had a falling out while in Albuquerque, New Mexico. According to the *Albuquerque Review*, Holliday "became intoxicated and indiscreet in his remarks, which offended Wyatt and caused the party to break up. Holliday went

with Tipton."

• July 1882: Did Wyatt and Doc come back from Colorado to kill Johnny Ringo? In two of the Flood manuscript versions of his life story, Wyatt took credit for killing John Ringo. And yet, when interviewed by a Denver paper in 1893, Wyatt said, "I never succeeded in finding Ringo. He got out of the country and was killed by someone else." As for Doc Holliday, he was in Pueblo, Colorado, and had a court date on July 11, 1882, some forty-eight hours before Ringo's body was found. The court document clearly states that Holliday "in his own proper person as well as by his counsel" had come into court. In light of this, it seems ludicrous to suggest that Doc came back to kill Ringo, and it is highly improbable that Earp did either.

• February 1884: Wyatt Earp was in Shoshone County, Idaho. He and others were accused of forcing people off their mining claims and taking their property by force. Earp was sued three times for claim jumping and taking property by force. Then Wyatt opened a tent saloon and the land owner sued Earp because he had broken the lease. Wyatt lost the case and was forced to give up the land and costs.

• March 6, 1885: Wyatt Earp and two accomplices, men named Ritchie and Walls, were arrested at Hot Springs, Arkansas, for the attempted burglary of the Evans Club Room. Wyatt later testified that one of Turkey Creek Johnson's aliases was Ritchie.

• December 2, 1896, The Sharkey-Fitzsimmons Fight: Bob Fitzsimmons was winning the fight handily until the eighth round when Thomas Sharkey fell from a punch and began to hold his groin and yell, grimacing on the canvas. Fitzsimmons just laughed and went to his corner, thinking perhaps it was all just a desperate act by a losing fighter. Referee Wyatt Earp went to Sharkey's corner and told his seconds that because of a foul, their man had won the fight.

Fitzsimmons told the press: "No pugilist can get a square deal from the thieves who handle fighting in this city."

THE PRESS ON WYATT

• "Get rid of them all!" the *San Francisco Exchange* wrote, regarding Earp's vendetta ride, and the cowboy posse that chased him. "When the cowboys and the Earps meet a sanguinary conflict is inevitable. It may fortunately happen that the slaughter on both sides will leave but a few survivors, and a big funeral, with the Earps and cowboys to furnish the remains, would be the lifting of a giant weight from the minds of the citizens of Tombstone."

• The *Tucson Star*: "...What a comment on the United States government, that a band of so-called officials with a high hand rove over the country murdering human beings out of a spirit of revenge. This red-handed assassination will not do. No matter how much the friends of the Earps may sympathize in their loss, there is another side to the question...."

• The *Tucson Star*: The Earps are accused of being "gamblers, murderers and robbers." The paper goes on to say: "The outlaws who made Cochise county a hell were not the cowboys, but federal officials supported and maintained in their lawlessness by the Republican Party. Peace and order came back to the county when these outlaws, red with murder and dripping with the blood of innocent people, fled the country."

• The *Tucson Citizen*: "The cowboys used to make quiet, law-abiding people get up and dance under the gentle pressure of drawn revolvers. In this, however, they differed from the Earp crowd, who killed law abiding people, instead of making them dance. As between dancing and death, public sentiment will rather incline to the method of the cowboy."

"Wyatt was not too honest and that is the one thing Uncle Verge [Virgil Earp] certainly was."—Hildreth Halliwell, a relative who lived with Allie Earp for her last years.

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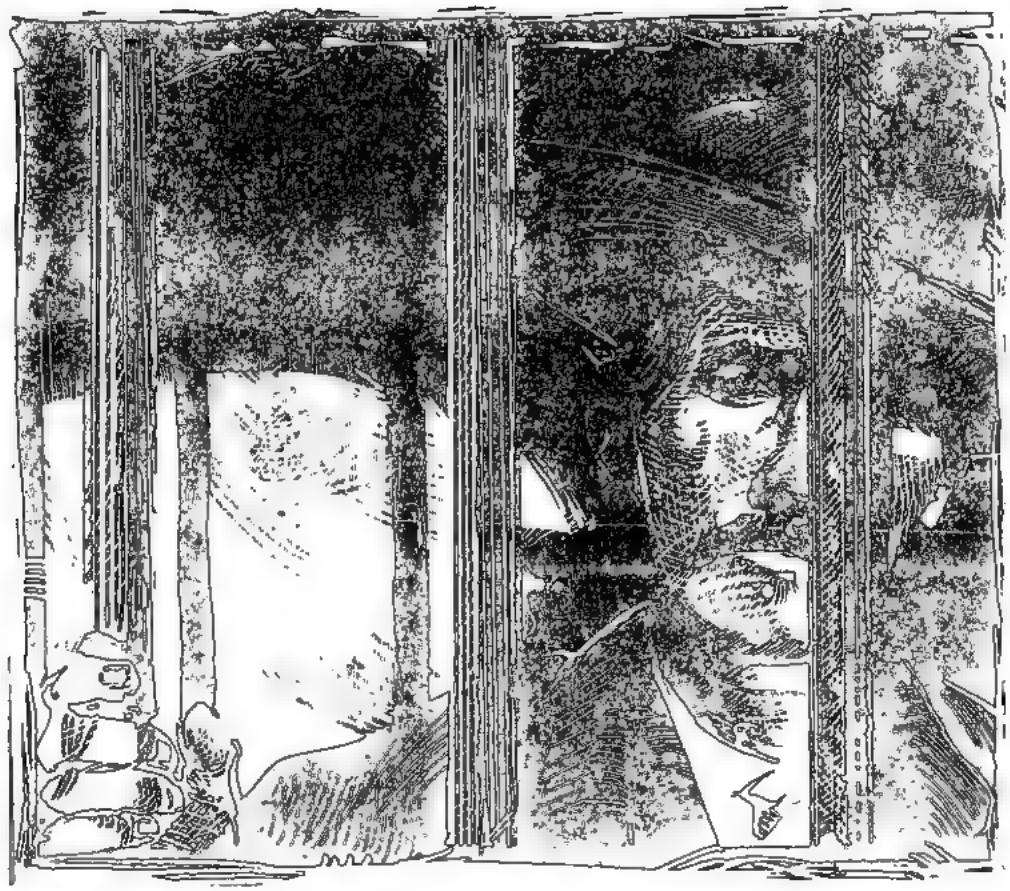

As if to underscore Fitz's accusation, when the official medical examiner went to Sharkey's dressing room to determine the severity and legitimacy of the claim, he was refused admission!

At the ensuing hearing, called to determine if Sharkey should get the purse, Wyatt Earp didn't show up and a warrant was issued for his arrest. When he finally took the stand he said he had "forgot all about it."

Earp went on to plead poverty, saying the horses he was running out of Santa Rosa were not his and actually belonged to a Mrs. Orcher. The fact that he was pleading poverty only added weight to the suspicion that he had a good motive for fixing the fight.

But the worst was yet to come: Australian Billy Smith, Sharkey's trainer, testified that the promoters of the fight went out of their way to appoint Earp and paid him $2,500 for throwing the fight to Sharkey on a foul.

Smith also claimed Wyatt Earp was a bit of a dimwit. According to the trainer, Wyatt Earp visited Sharkey's room the day after the fight. Earp said to Smith, "Sharkey, how do you feel?" Smith replied, "I'm not Sharkey. There's Sharkey in bed over there." Wyatt said, "You look a little bit like Sharkey; I thought it was he."

In summation, Wyatt Earp had missed two court dates, been fined for carrying a concealed weapon in the ring, admitted to poverty (which establishes his motive for throwing the fight), and had misidentified Sharkey in his hotel room. This is the Lion of Tombstone?

Fitzsimmons later said of our hero: "I believe Wyatt Earp deliberately wronged me, and shared the profits of the wrongdoing, and I don't want to have any dealings with him whatever."

During Fitzsimmons thirty-four-year career, he only lost one fight on a foul, the one refereed by Wyatt Earp.

∘ July 4, 1888: A coroner's inquest was held in Pinal, Arizona, for the suicide of one Mattie Earp. "[Wyatt] Earp she said, had wrecked her life by deserting her and she didn't want to live."

∘ 1900: While in Alaska, Earp was arrested twice for interfering with an officer. In one, while a soldier attempted to make an arrest, he was jumped and beaten by two men: Wyatt Earp and Nathan Marcus.

∘ 1911: Wyatt was arrested in Los Angeles for trying to scam a real estate man out of his money with a phony faro game. To the arresting police officers, Wyatt gave his name as W.W. Stapp. Although charges were eventually dropped, the *Los Angeles Times* reported that Wyatt was well known to the police as a "professional gambler and all-around sharper," and that he had made his headquarters in Los Angeles for several years. The paper went on to say that Earp "devoted his time to fleecing the unwary in card games," and that Wyatt was the man who conceived the plot.

Downward Bound:

As an aging man with a drinking problem, Wyatt Earp became a

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hired tough to protect a corporation's property.

Desperate for money, the aging Earp began to dictate his memoirs, hoping to cash in on the increasing interest in the Wild West and Tombstone.

Wyatt leaned on his friend, movie star William S. Hart, to peddle his manuscript, but nobody would touch it. As the rejection slips piled up, Wyatt added to the list of westerners he claimed to have known, including legends like Wild Bill, Billy the Kid, and a long list of others who it is doubtful he ever met. He also "borrowed" his brother Virgil's lawman status at various points in the manuscript to give his character more authority. None of it helped. Wyatt died without seeing his version of his life in print.

Desperate for money, the aging Earp began to dictate his memoirs...

A Bitter Legacy:

In Wyatt's old age, we learn that his wife Josie would steal food out of friends' ice boxes and squander all of Wyatt's money, mostly by gambling. After Wyatt's death in 1929, she claimed to relatives she never received a cent from Stuart Lake. Records show she received plenty, including over $3,000 for the movie rights alone!

The Dark Conclusion:

Wyatt Earp was never the marshal of a town or the sheriff of a county. He was accused by the courts of embezzling school funds and altering public records for financial gain. He was arrested and indicted for horse theft but he was never tried because he jumped bail. He was indicted for murder in Arizona but he escaped as a fugitive from justice. He was accused of throwing a prizefight. He was arrested for a con game. It is a matter of public record that he was an outlaw, a burglar, a hired tough, a claim jumper, and a cardsharp. And there is some evidence to conjecture he may have been a pimp, a bully, a braggart, a show-off, and a big, fat liar. Oh, and when he was old and broke, he seems to have pathetically tried to cash in by robbing his brother's grave.

Like I said, I love the guy.

Is there another side to these dark facts? Absolutely. (I can already hear computers booting up all across the country to do battle with every point.) But, remember: the enemy is not me. I am simply reporting what others have found. The record of the man is the thing—the question is—which one?

Maybe the *vaqueros* were right when they said, "History is a cruel trick played on the dead by the living."

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Six Degrees from Wyatt Earp

By Larry Willis

Six Degrees of Separation is a theory that puts forth the proposition that only six people separate everyone in the country from any other person. In other words, if someone named every person he had met and those people named all they had met and so on through six steps, you could reach every person in the country.

This theory is played out in Hollywood as "Six Degrees from Kevin Bacon." This instance shows that everyone in show biz is only six people away from having made a movie with actor Kevin Bacon. This would, of course include everyone who ever played Wyatt Earp. Wyatt himself met William S. Hart, Tom Mix, John Wayne, and others.

Six degrees of separation could be tested out in a western way by attempting to attach Wyatt Earp to the other famous characters of the Old West.

First the easy ones. Wyatt of course knew Bat Masterson and Luke Short in Dodge City. He also is said to have met Clay Allison. In Tombstone Wyatt knew a whole other cast of characters; Curly Bill, the Clantons, the McLaurys, John Ringo, Fred Dodge, Texas John Slaughter, Crawley Dake, Frank Leslie, Johnny Behan, and of course Doc Holliday.

Wyatt can be connected to Geronimo, Al Sieber, and Tom Horn through John Clum and Frank Leslie.

Now the harder ones. Let's take Wild Bill Hickok. In Texas, Hickok met John Wesley Hardin, who was at one time in jail with John Ringo. Hickok also connects Wyatt with Buffalo Bill Cody, Calamity Jane, George Custer, and Sitting Bull. Seems too easy.

What about the Doolin and Dalton gangs? Bill Tilghman abolished the Doolin gang and Bat Masterson had appointed him deputy in Kansas. Jim Masterson also links Earp to Bill Doolin, having fought the Doolin gang at the gunfight in Ingalls, Oklahoma.

So, how does Wyatt connect to Jesse James? John Ringo's family lived on Colonel Coleman Younger's property in California. The colonel was an uncle to the outlaw Younger brothers, who of course rode with the James brothers. Jesse James also reportedly met with Billy the Kid, who can be directly linked to Wyatt through Dave Rudabaugh.

Kit Carson at first seems farfetched, but he was a scout for John Frémont, who was governor of Arizona at the time Wyatt was in Tombstone. With Wyatt's political connections there is surely a link there.

What about more obscure figures like Commodore Perry Owens? Well, it was a posse under Owens direction that killed Ike Clanton and placed Phin Clanton in Owens' jail. Another fast link.

Then there is Billy the Kid. Beside the above mentioned meeting with Jesse James, Pat Garrett, whose connection to the Kid needs no explanation, dealt with Teddy Roosevelt; Roosevelt also met Bat Masterson and Fred Dodge. Roosevelt also connects Wyatt to Buckey O'Neill and the Rough Riders.

There are others omitted here, but you get the picture. It is no wonder Wyatt Earp is such a famous western figure. He *almost* knew everyone.

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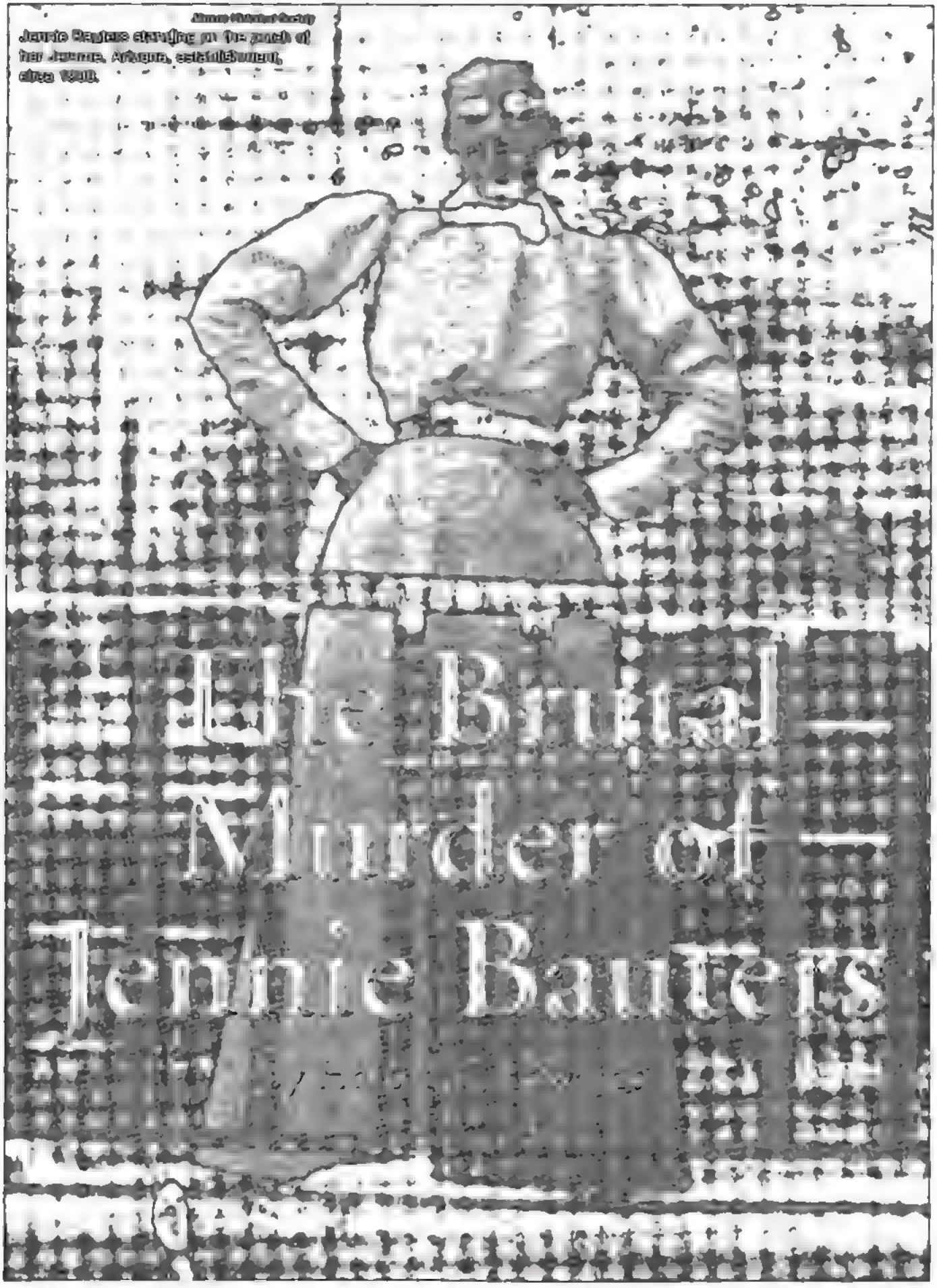

Jennie Bauters standing on the porch of her Jerome, Arizona, establishment, circa 1910.

The Brutal Murder of Jennie Bauters

In 1905, Goldroad was a booming mining community in the Black Mountains near the Colorado River in northwestern Arizona Territory. The town was no different from other mining camps; in addition to a large population of hard-working and law-abiding citizens, the camp had its share of tinhorn gamblers, pimps, prostitutes, and the usual panhandlers. Several saloons in the area of the town called "the badlands," or officially as Acme, served as headquarters for their troublesome activities. Violence was common in Goldroad, but one callous murder in 1905 shocked and outraged most citizens by its overly brutal and senseless nature. The citizens of Goldroad waited to see if the killer would be brought to justice. Although the judicial process took extended time, in the end the citizens were not disappointed.

Goldroad came into existence almost by accident. Henry Lovin was the prosperous owner of a general store in Kingman, Arizona. He also had a number of other businesses, including a couple of successful cattle ranches. Lovin was community-minded, and in 1899 he was constable of Kingman. Two years later he became the sheriff of Mohave County. However, by 1905 he was deeply involved in his businesses and territorial politics and no longer served as a law enforcement officer. He also dabbled in mining properties and turned a profit from them. From time to time he grubstaked prospectors but he expected little or no return on these investments. However, one of the best expenditures Lovin ever made was when he grubstaked Jose Gerez.

Jose Gerez was a down and out prospector who hung around Kingman, living on handouts. He became a pest at the Lovin store, and simply to get rid of him Lovin grubstaked Gerez to a prospecting trip in the Black Mountains along the Colorado River's east side. To Lovin's astonishment and surprise, Gerez located three mining claims. Two of the claims were immediately sold but they retained the third one and named it "Goldroad." The Goldroad mine developed into one of the richest gold strikes in Arizona up to that time. Eventually, both Lovin and Gerez sold their interests in the mine and retired from the venture, financially comfortable.

In the meantime, as word of the strike spread, gold-seekers poured into the area. And, of course, the usual troublesome element was almost the first to arrive to cash in on the easy money from the entertainment-starved men in the camp. One of those who arrived about this time was Jennie Bauters, who opened a saloon in the "badlands." Almost nothing is known about Jennie Bauters other than when she arrived in Goldroad she was no longer young and had run saloons in other camps along the Colorado River and in Jerome, Arizona. She enjoyed a reputation for being concerned about the welfare of others and for her generosity toward impoverished miners who were down on their luck.

Unfortunately for Jennie, around 1900 she accepted Clement C. Leigh as her paramour. Like many others of the saloon gentry, Leigh seemed to be a man with no past. In 1905, he was believed to have been about forty-two years of age and originally from Visalia, California. He was a professional gambler, but as time passed he drank more and played cards less. Finally, his drinking overwhelmed him and he refused to work at all. He became a parasite. He depended on handouts and free drinks from his friends when Jennie refused to give him money. He progressively became more abusive to Jennie until she could no longer tolerate him and terminated the relationship. But Leigh wouldn't leave, and he openly threatened to kill Jennie. Despite Leigh's threats, Jennie stood firm. Although Jennie and Leigh no longer shared living quarters, the drunken gambler still hung around Jennie's saloon, caging drinks from his companions and threatening his former paramour.

Jennie told several of her friends that she was afraid of Leigh and she felt he was going to kill her. On one occasion in July or August, 1905, she was sitting on the front porch of her saloon when Jack Fitzpatrick shot and killed James Stevenson behind the saloon directly across the street from her place. When she heard the gunfire, Jennie dived into her saloon for cover. She testified to her actions during the coroner's inquest into Stevenson's death, but other than to say that she thought the shots were meant for her she didn't elaborate. It was obvious that she thought Leigh was shooting at her.

During the evening and late night hours of September 2, 1905, Clement Leigh and several companions drank heavily and steadily in Jennie's saloon. Jennie had no contact with Leigh that night, and she retired early to her upstairs room.

While Jennie begged for her life, Leigh twisted her head around so he could get a better shot.

The more Leigh drank the more sullen and morose he became. His drinking binge continued nonstop into the following morning, Sunday, September 3, 1905.

The subject of money came up among Leigh and his companions while they were imbibing, and Leigh said, "I intend to get a sum of money even if I have to die for it." Leigh didn't elaborate on his comment, and his friends had no idea what he was talking about. However, at 8:00 o'clock Sunday morning he armed himself with a loaded revolver which Constable Henry Straugman had left behind the bar.

Apparently, Leigh knew that Jennie had a large sum of cash in her room from business proceeds; this was the money he intended to have "even if he had to die for it." He climbed the stairs to Jennie's room and kicked in the door. With the gun in his hand, Leigh terror-

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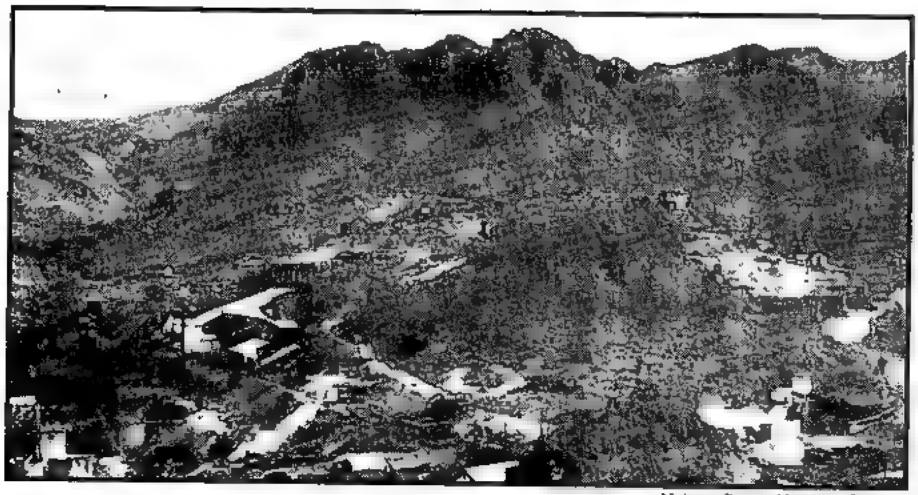

Mohave County Historical Society

Goldroad, Mohave County, Arizona, where Clement Leigh murdered Jennie Bauters on September 3, 1905. This photograph shows the isolation of the mining camp, located in the rugged mountains of northwestern Arizona.

ized Jennie, who was still in bed.

The frightened woman jumped from her bed and bolted for the door. Leigh fired a shot and Jennie screamed from fright as the bullet just missed her. She ran down the stairs, through the saloon, and out of the front door onto the sidewalk. Leigh chased her the entire way, and as Jennie approached the street, he fired two more shots at her. One bullet struck her in the neck, the other one entered her left side. Jennie fell into the street and remained there, paralyzed.

Leigh turned about, went into the saloon cellar, and got cartridges to reload his pistol. He immediately returned to Jennie and asked: "You are not dead yet, are you?" While Jennie piteously begged for her life, Leigh twisted her head around so he could get a better shot. From a distance of about eight inches, Leigh fired a bullet into Jennie's head, killing her instantly.

Townsmen gathered on the scene when they heard the shots and Jennie's screams. Before the stunned onlookers could grasp what had happened, Leigh stood up, placed the muzzle of the pistol to his chest and pulled the trigger. The shot knocked him to the ground. He seemed convinced his wound was mortal. He picked his hat up from the ground and put it over his face to shield it from the sun and calmly waited for death to overtake him.

However, the bullet Leigh fired didn't enter his body cavity. Instead, it ranged around the exterior of his ribs and lodged in a muscle under his arm. The wound was painful but not serious, and Leigh was in no immediate danger of dying. Deputy Constable Fred Brown arrived on the scene, quickly evaluated the situation and arrested Leigh for murder. As Brown led Leigh away, citizens removed Jennie's body from the street. The crowd of onlookers continued to grow, and there began mutterings of lynching Leigh. However, no leader emerged to lead the mob and the crisis quickly passed.

Later in the day, Kingman Township Justice of the Peace Anson Smith, acting as county coroner, conducted an inquest into Jennie's death. Several witnesses testified before the coroner's jury. Patsy Morton, Jennie's friend and sometimes employee, said she was sleeping in a tent near Jennie's saloon when she was awakened by the report of a gun and a woman's scream. She emerged from her tent in time to see Leigh go into the cellar of Jennie's saloon. He remained there a moment and then came out. As he walked back toward the street, according to Patsy, he was either extracting spent shells from a pistol in his hands or reloading it. She watched Leigh walk up to Jennie and shoot her in the head. A girl who resided in the tent with Patsy Morton was also watching Leigh and she screamed when Leigh shot Jennie. While Patsy looked at her companion, Leigh fired the gun again. When Patsy looked back toward the street, Leigh was lying on the ground. Patsy also testified that Leigh and Jennie had been living together for some time and that there had been several quarrels between them. Patsy Morton went on to say that Jennie didn't want Leigh around but was afraid to leave him, afraid that he would kill her.

Twenty-eight-year-old Jesse Lawson informed the jury that he, at Jennie's request, slept in Jennie's saloon the night before she was murdered. According to Lawson, Jennie said to him: "I do not trust myself with the money while Leigh is here." Lawson went on to say that Jennie had lived with Leigh and that he had dealt her "a dog's life." Lawson related that the night Fitzpatrick shot and killed James Stevenson, he had told Jennie that the Stevenson shooting was "too bad." Leigh, who was also present, said, "There is liable to be another killing take place tonight." Jennie felt the comment was a direct threat from Leigh.

C.H. Whitfield testified that he was in a nearby barber shop when he heard shots fired. He saw Jennie run into the street from her saloon and Leigh shoot at her. He heard Jennie plead, "Leigh, don't shoot me no more!" At this point, Leigh went up to her and fired a shot into her head. As Whitfield approached Talbot's saloon, next to Jennie's place, he heard another shot and saw Leigh lying in the street.

W.A. Morgan told the coroner's jury that he was delivering lumber that morning when he heard a woman scream and then a gunshot. He looked up and saw a woman in nightclothes run into the street. "Leigh followed right up and shot her." He tried to shoot her again but the gun wouldn't work. Leigh walked away while Jennie lay in the street. Leigh then returned to Jennie and said: "You are not dead yet, are you?" Morgan then described how Leigh had shot Jennie in the head. After shooting

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Jennie, Leigh sat in the street by Jennie and shot himself, "laying back easy."

A.R. Irvine testified that he was filling a water tank in a nearby restaurant when he heard a shot and a woman scream. A short time later he heard two more shots and the woman screamed again. At this juncture he walked into the street to see what had happened. He saw Jennie lying in the street, and he walked up to her, as no one was around. Irvine saw one bullet wound in her neck and another one in her left side. She appeared to be dead. He placed his hand on the back of her leg to see if he could detect some life, but he felt no pulse and concluded that she was dead.

Irvine informed the coroner's jury that he then walked into Jennie's saloon but there was no one there. He went on to Talbot's saloon and asked some men there why they didn't get Jennie out of the street because "she was shot to pieces." He got no answer and went back into the street. As he walked toward Jennie's body, he saw Leigh approaching him with a pistol in his hand. Irvine avoided Leigh by ducking into Jennie's saloon.

Irvine continued by saying that he watched Leigh cock the gun and fire a bullet into Jennie's head from a distance of about eight inches. Irvine, who was unarmed, retreated farther back into Jennie's saloon as he felt Leigh might shoot at anyone he saw. Irvine heard another shot and looked out onto the street. He saw Leigh lying on his back on the ground by Jennie. At this moment, Leigh rolled to his side, reached over and got his hat, moved back to his original position and placed his hat over his face.

Irvine finished his testimony by saying: "Miss Jennie told me at the breakfast table [in the restaurant where he worked] last Friday morning that she did not think she would live a month; that that guy, meaning Leigh, would kill her."

While there were variations in the details of the murder, the witnesses essentially told the same story: that Leigh had murdered Jennie and prior to her murder she was fearful that he would soon kill her. The coroner's jury ruled the following: "Jennie Bauters came to her death on September 3, 1905, by wounds caused by a gun in the hands of C.C. Leigh and the same was premeditated and maliciously committed."

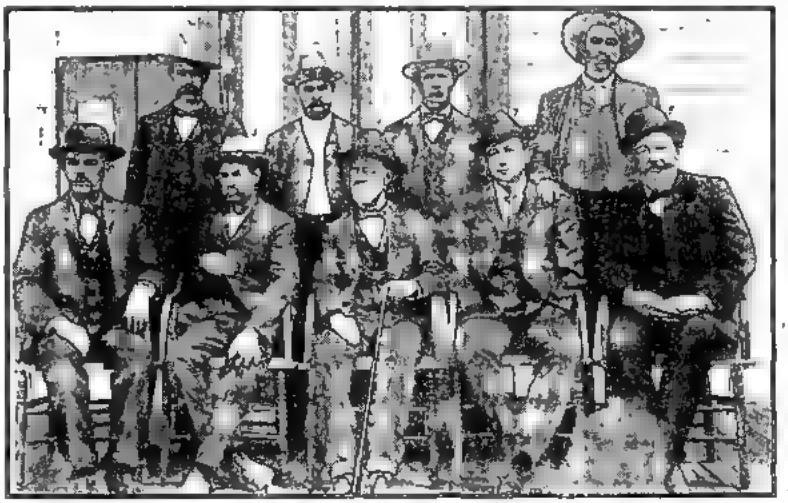
A murder charge was filed against Leigh, and Justice of the Peace Anson Smith issued a warrant for Leigh's arrest. Leigh was transported to the Mohave County jail in Kingman to await trial. A Kingman mortician embalmed Jennie's body to preserve it until a disposition of the remains could be made by her relatives.

Jennie's son, J.P. Bauters, of Chicago, Illinois, arranged for her remains to be buried in Chicago.

Jennie Bauter's tragic, brutal, and senseless murder sobered the rowdy citizens of Goldroad. It was the final straw. They were tired of the continuing violence, and this time they decided to do something about it. On September 9, 1905, the Kingman *Mohave County Miner* reported Jennie's murder and Leigh's arrest in detail, but the editor also published an addendum:

> It is reported that since the several murders at Goldroad the people have concluded that it is necessary to make the undesirable residents of the town get up and "hit the high places" on the road to some other locality. In consequence the officer of that place has been making a cleanup and many of the "hop heads" have already gone away. These non producers are the mischief makers in a camp and the sooner they are driven out the better it will be for law abiding citizens.

The editorial summed up the community's feelings very well and the citizens of Mohave County waited to see how the courts were going to deal with the matter.



Mohave County Historical Society.

Mohave County, Arizona, officials in front of the Mohave County courthouse. Mohave County Sheriff Walter Brown, who conducted Clement Leigh's execution, stands at far left. Henry Lovin, who grubstaked Jose Gerez to find the Goldroad mine, stands at far right.

On September 8, 1905, Clement C. Leigh appeared before Justice of the Peace Anson Smith for his preliminary hearing. The witnesses who testified in the coroner's inquest testified again. Leigh seemed lethargic and refused to cross examine the witnesses; so Judge Smith examined the witnesses for Leigh. In the end, Judge Smith determined the evidence supported Leigh's guilt and he ordered the case transferred to the district court for trial. He also ordered Leigh to be held without bail pending his trial.

The Fourth Judicial District Court for the Territory of Arizona convened in Kingman on October 16, 1905, to try Clement C. Leigh for the murder of Jennie Bauters. Leigh had pleaded not guilty to the charge. Judge R.E. Sloan conducted the trial. Mohave County District Attorney William Blakely prosecuted the case and Attorney Leroy Anderson provided the defense.

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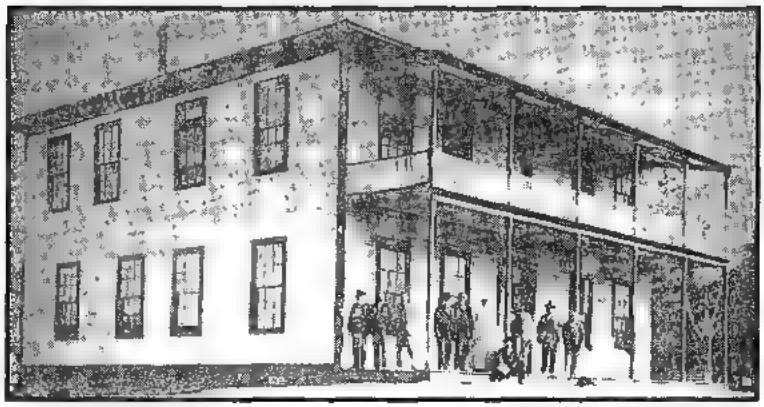
The jury was selected and the witnesses who testified in the coroner's inquest and the preliminary hearing testified once more. Leigh's lawyer provided the best defense he could for his client, but the evidence of Leigh's guilt was overwhelming and the jury lost no time in convicting the defendant of first-degree murder. Judge Sloan sentenced Leigh to death by hanging.



Mohave County Historical Society

The Mohave County courthouse, where Clement Leigh was convicted and sentenced in the murder of Jennie Bauters, circa 1905.

During the entire court process, Leigh appeared unconcerned about his fate and sat quietly throughout the trial and sentencing.

Leigh's mother and sister had traveled to Kingman from Visalia, California, to attend his trail. After Leigh was sentenced to death, his mother attempted to gather signatures for a petition to Arizona's governor to commute Leigh's sentence to life imprisonment. However, public sentiment was against her and she failed. She returned to Visalia.

The date for Leigh's execution in Kingman was set for December 6, 1905, but Leigh's attorney appealed to the Arizona Supreme Court on a writ of error. A stay of execution was granted in order that the appeal could be heard. Attorney Anderson alleged the usual points for an appeal but added that the jury selection consisted of only twenty-four members rather than the twenty-nine required by law. Therefore, the defendant wasn't allowed the number of challenges provided by law and he had to accept jurors that were unacceptable to him. Further, jurors had talked to the witnesses about the case prior to the trial.

The case was argued before the Arizona Supreme Court in early 1906. On April 26, the Supreme Court affirmed the actions and orders of the lower court. On October 17, 1906, Judge Sloan again sentenced Leigh to hang, the date set for December 14, 1906, in Kingman.

As an aside in the case, on October 12, 1906, Constable Henry Straugman filed a request in the district court for the return of his revolver, the gun used to kill Jennie Bauters. The court records do not indicate an outcome, and it is presumed that his personal property was eventually returned to him.

By December 1, 1906, preparations for Leigh's execution were in progress. The scaffold was already constructed and the trap was about to be installed. The *Mohave County Miner* prophesied that Leigh would meet his death "without flinching." Leigh seemed disconnected from events and disinterested in what was occurring to him. It was further reported in the newspaper that Leigh's execution would not be a Roman holiday. Sheriff Walter Brown decided no more than the legally required viewers would be present at Leigh's hanging, and a stockade was constructed around the scaffold so the public couldn't view the execution.

On December 8, 1906, the *Mohave County Miner* reported a change in Leigh's attitude. He was in good spirits and even joked with a newspaper reporter about his coming execution.

Meanwhile, Leigh's attorney continued work on his case. He appealed directly to Arizona's governor, saying his client was temporarily insane when he killed Jennie Bauters and, therefore, he shouldn't be executed for his crime. Governor Joseph Kibbey granted Leigh a reprieve from execution until January 18, 1907, to give Attorney Anderson time to present his case. Anderson argued his best, but failed in his bid to save Leigh's life. Jennie Bauters' murderer was hanged in the Kingman jail yard on January 18, 1907.

According to the *Mohave County Miner* of January 19, 1907, Leigh's courage held almost to the last minute. As Sheriff Brown entered his cell to escort him to the gallows, Leigh asked, "I suppose you have come for me?" When Brown answered in the affirmative, Leigh struggled to retain his composure; however, his legs failed to support him and he fell to the floor. He was unable to regain his feet and had to be carried to the scaffold and up the steps to the platform. He was held in place while the noose was adjusted around his neck and the hood was drawn over his head.

Clement Leigh was in a state of mental and emotional shock, and he seemed not to know what was happening to him. He couldn't even make the last statement expected from a condemned man. The trap was sprung at precisely 2:00 o'clock in the afternoon, and Clement Leigh plunged to his death. After hanging thirty minutes, he was cut down and pronounced dead. His body was received by a Kingman mortician, and he was buried in the Kingman cemetery at county expense.

In January 1907, Jennie's son arrived in Kingman to discharge his mother's personal and business matters, which reportedly amounted to $14,000. The hanging of Clement Leigh and the settling of Jennie Bauters' estate concluded the Bauters murder case. The citizens of Goldroad, a tough mining camp, regretted the tragic death of Jennie Bauters, but they were secure that Clement C. Leigh got exactly what he deserved.

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TRUE WEST LEGENDS: HENRY BROWN

By Bill O'Neal

Fall 1857—Henry Newton Brown is born at Cold Spring Township, a small Missouri farming community. After the death of his parents a few years later, young Henry and an older sister are reared on an uncle's farm near Rolla, Missouri. Learning to fish and hunt, Henry becomes an excellent shot.

1875—Shuttled during his boyhood from one relative to another, teenage Henry Brown runs away to go west. He works as a cowboy on a ranch in eastern Colorado, then employs his excellent marksmanship as a buffalo hunter.

1876—According to Charles Siringo, Brown argues with a Texas Panhandle cowboy then kills him with three shots.

1876-77—Not yet nineteen Brown heads for lawless Lincoln County, New Mexico. In the summer of 1876 he signs on as a cowpuncher at Major Lawrence G. Murphy's Carisosa Ranch, located twelve miles south of White Oaks in the rugged mountains west of Lincoln. Brown spends the next eighteen months cowboying, rustling, and living in the bunkhouse at ranch headquarters.

January 1878—Splitting with Murphy over a claim of unpaid wages, Brown switches sides in the growing Lincoln County feud, hiring on with cattle baron John Chisum. Brown is soon assigned to protect English rancher and Chisum partner John Tunstall from James Dolan and Lawrence Murphy. Others working for Tunstall include Frederick Waite, foreman Dick Brewer, John Middleton, Josiah Scurlock, Jim French, George and Frank Coe, and William H. Bonney.

February 18, 1878—Tunstall and a group of his employees depart his ranch to make a cross-country trek to Lincoln. Twenty miles south of Lincoln, while Fred Waite and Henry Brown lag behind with a wagon, gunmen working for Dolan and Lawrence intercept and murder Tunstall triggering the violent Lincoln County War.

March 6, 1878—Dick Brewer leads a group of "constables" in search of the men accused of Tunstall's murder. Brewer's "Regulators" include Bonney, Brown, Waite, Scurlock, William McCloskey, Charles Bowdre, the Coes, and several other tough gunmen. The Regulators chase down suspects Billy Morton and Frank Baker after a running fight near the Pecos River. On the way back to Lincoln, near Agua Negra Creek, both prisoners and William McCloskey are shot to death. Details of the episode are hazy, but one version states that Brown, suspecting that McCloskey sympathized with the other faction, shot him without warning, "killing him immediately."

April 1, 1878—"Billy the Kid" Bonney, Henry Brown, Fred Waite, and a few other Regulators ambush Sheriff William Brady and four companions as they walk down Lincoln's sole street. Sheriff Brady and Deputy George Hindman are mortally wounded and Billy Matthews is also hit. The murder of the sheriff and his deputy effectively turns the Regulators into outlaws.

April 4, 1878—Brown is one of a large party of Regulators who shoots it out with Andrew "Buckshot" Roberts at Blazer's Mill. Roberts takes a fatal bullet from Charlie Bowdre, but manages to kill Dick Brewer and wound George Coe and John Middleton. As the Lincoln County War escalates, Brown is involved in a handful of armed confrontations with Murphy-Dolan gunmen.

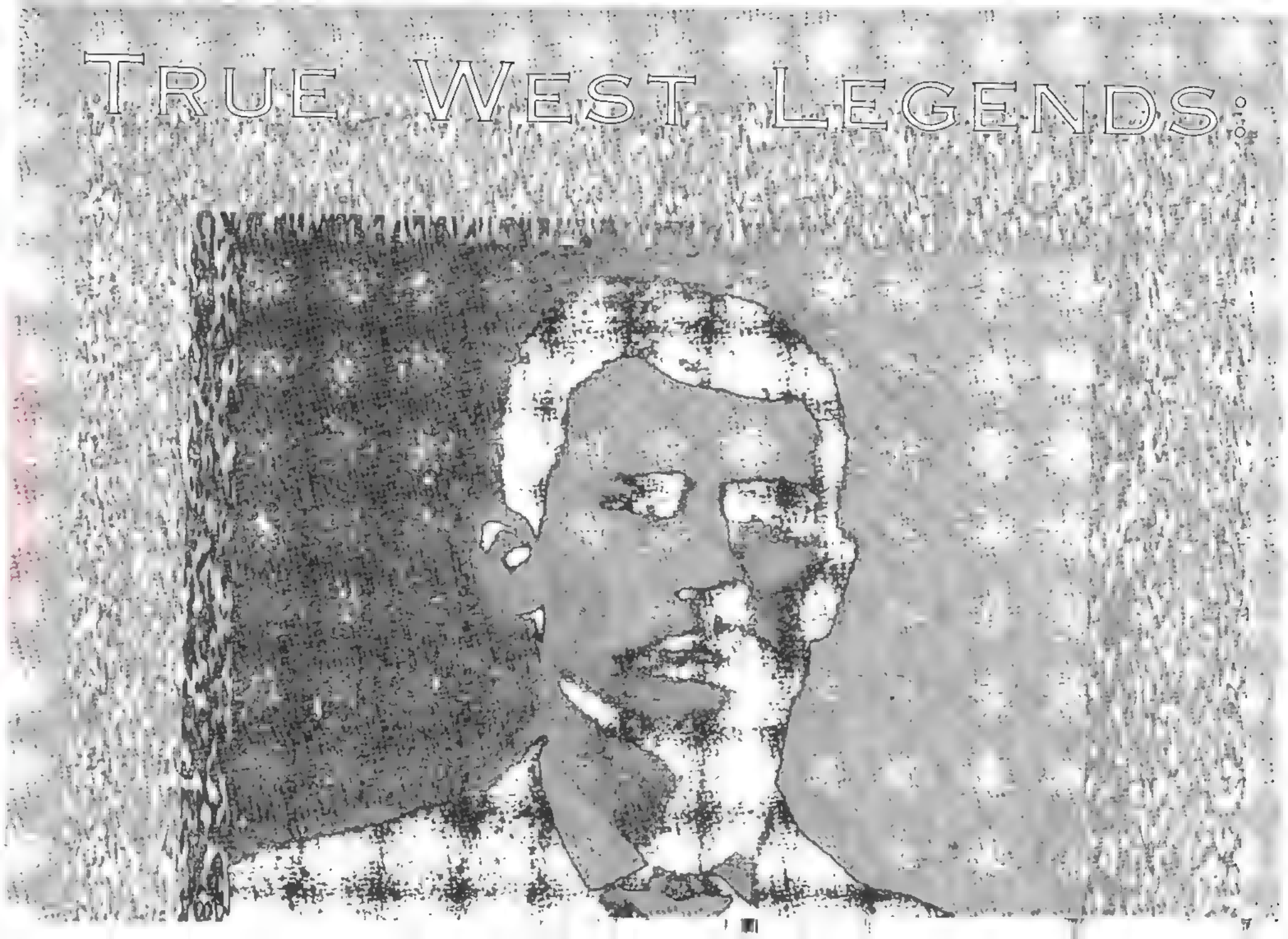
July 15-19, 1878—During the climactic Five Day Battle of Lincoln, Brown spends most of his time in a little storehouse just southeast of Alexander McSween's store. Billy the Kid and a handful of other Regulators are stationed in the McSween home with Tunstall's former partner. Alongside Brown are George Coe and Joseph J. Smith. From their vantage point the three snipe sporadically at the opposition. On the night of July 19, when the Kid and others inside the burning home try to break out, Brown and his two companions retreat from the storehouse and over an eight-foot wall into the darkness. McSween and a few Regulators are killed during the escape.

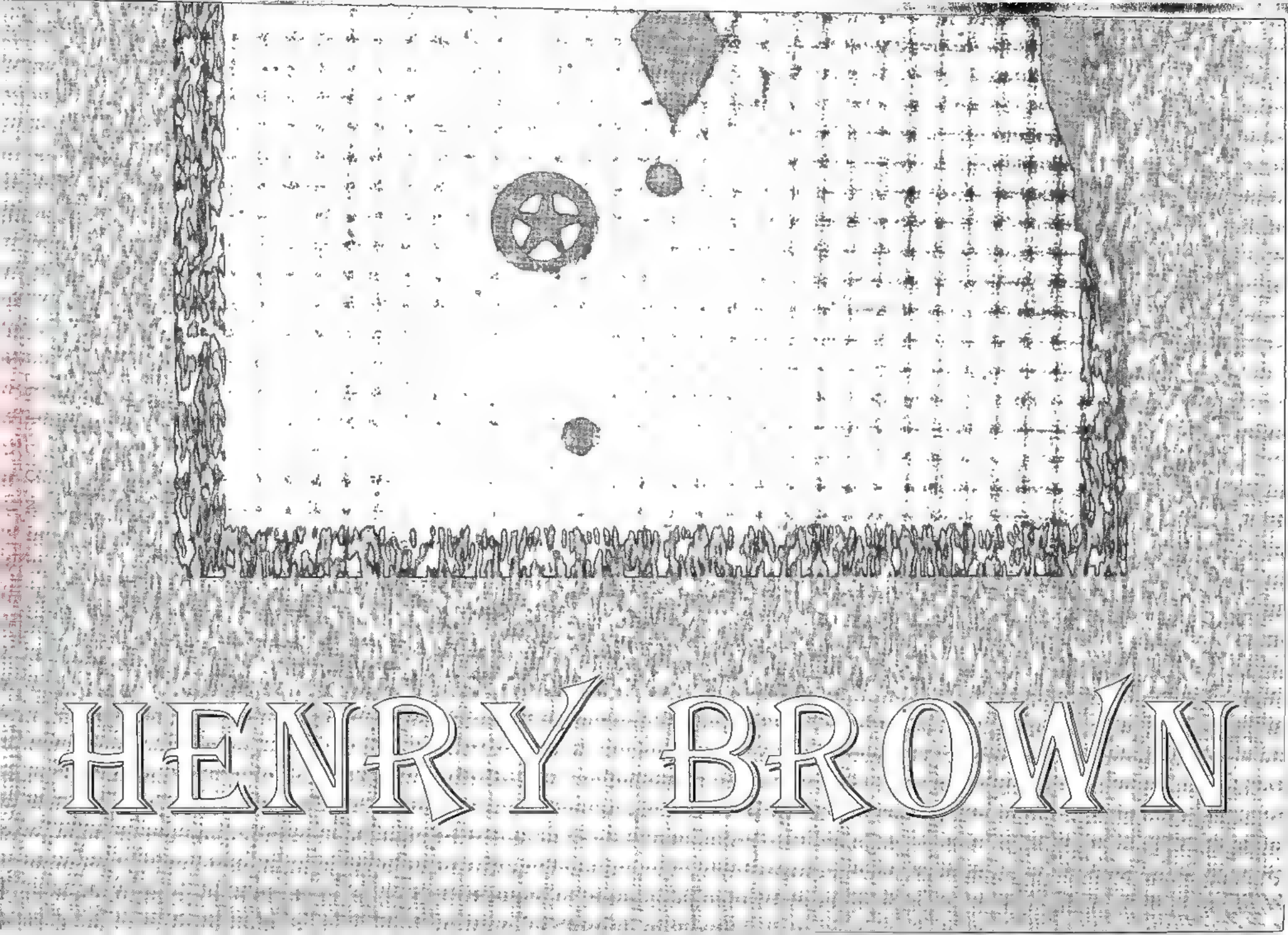
August 5, 1878—Following the battle in Lincoln Billy the Kid, Henry Brown, and other surviving Regulators are regarded as outlaws. Near Blazer's Mill a fight results in the death of Mescalero Reservation clerk Morris Bernstein. Brown's horse is so badly wounded that it has to be destroyed.

Fall 1878—The Kid, Brown, Tom O'Folliard, John Middleton, and Fred Waite drive 150 stolen horses from Lincoln County to Tascosa in the Texas Panhandle. The horses are sold or traded, and late in 1878 the Kid and O'Folliard, ignoring the warnings of their fellow fugitives, return to New Mexico where they are each eventually hunted down and killed by Sheriff Pat Garrett and his deputies. Middleton ventures to Kansas, while Brown travels with Waite to his home in Oklahoma.

1879-1881—Henry Brown returns to Tascosa, Texas, the "Cowboy Capital of the Panhandle." He cowboys for cattle baron George Littlefield then takes a job

TRUE WEST LEGENDS:




HENRY BROWN

tracking horse thieves. He wins appointment as a deputy sheriff, although he is soon fired because he is "always wanting to fight." In 1881 Brown is again hired by Littlefield but he is discharged from this job, too, "because he was always on the war path."

1881—Brown is hired by Barney O'Conner, foreman of a ranch in Woods County in northwestern Oklahoma.

July 1882—Drifting across the border into Kansas, Brown is appointed assistant city marshal of Caldwell. "The Border Queen" is the violent terminus of the Chisholm Trail but Marshal Bat Carr and Deputy Brown, sporting a brace of revolvers, rapidly quell the turbulence.

December 1882—Within five months Carr resigns. Although it is rumored that his deadly deputy intimidated him into leaving town, Brown is promoted to city marshal of Caldwell on December 21, 1882. Brown imports a Texas hardcase, known by the alias "Ben Wheeler," to serve as deputy. The city fathers are so impressed by their new marshal that he is presented a magnificent engraved Winchester.

May 14, 1883—When a drunken Pawnee named Spotted Horse creates a disturbance in Caldwell, Marshal Brown tracks him to a grocery store. Spotted Horse defiantly produces a pistol, but Brown ends any further threats by shooting him through the head.

December 15, 1883—Texas gambler Newt Boyce is jailed by Marshal Brown and Deputy Wheeler for knifing two men in a Caldwell saloon. Released the next morning, Boyce spends the day drinking and announcing threats against the two lawmen. That night Wheeler tells Brown that Boyce had threatened him with a pistol. Brandishing his Winchester Brown angrily stalks Boyce. Brown finds his prey standing in front of a saloon. Boyce reaches for a revolver as Brown fatally wounds the gambler with a rifle slug that tears through his right arm and penetrates his side.

March 26, 1884—Marshal Brown marries Alice Maude Levagood at the home of friends. Henry is twenty-six and his bride is twenty-two. The lawman purchases a house, furniture, and a milk cow. The total cost produces a debt of more than $1,000. Marshal Brown is only paid $125 per month, but he soon devises a plan to supplement his income.

April 30, 1884—Five weeks after his marriage, Marshal Brown, Deputy Wheeler, and accomplices William Smith and John Wesley rob the Medicine Valley Bank of Medicine Lodge Kansas, seventy miles west of Caldwell and just north of Woods County, Oklahoma, where he had worked as a cowboy two years earlier. Brown and Wheeler ride out of Caldwell on a Sunday afternoon, ostensibly to chase outlaws in Oklahoma, but are soon joined by Wesley and Smith. On Wednesday morning, during a driving rain, Brown, Wheeler, and Wesley enter the Medicine Valley Bank while Smith holds the horses. Inside the bank are President E. W. Payne and cashier George Geppert. When Payne reaches for a revolver Brown pumps a Winchester bullet into him and Wheeler shoots the cashier to death. After citizens open fire, the thieves bolt outside, mount up, and gallop south toward the Oklahoma border. Led by Barney O'Conner, Brown's former employer, a posse follows closely. When Wheeler's mount gives out he rides double and the fugitives labor into a box canyon with the posse in hot pursuit. Trapped, the outlaws hold out for two hours before surrendering. They are taken back to town where citizens are flabbergasted when they realize Marshal Brown is among the accused. The four criminals are fed, photographed, and thrown into the little Medicine Lodge jail. That night a large mob, enraged at the death of the two bankers, opens the jail door. Brown springs out and darts through the crowd. But just as he runs into the open a farmer triggers both barrels of a shotgun and blows him in half. Wheeler slips through the mob in the other direction, but he, too, is quickly shot down. Wheeler, still alive and begging for mercy, is dragged to a tree and hanged alongside Smith and Wesley. The corpses are put on public display the next day and then buried in a common grave just outside the cemetery northwest of town.

WHAT TO READ:

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Great Gunfighters of the Kansas Cowtowns, 1867-1886, by Nyle H. Miller and Joseph W. Snell. University of Nebraska Press, 1963.

Gunsmoke in Lincoln County, by Philip Rasch. NOLA, 1998.

Warriors of Lincoln County, by Philip Rasch. NOLA, 1998.

WHERE TO GO:

Caldwell, Kansas, where Henry Brown was city marshal from 1882-84. A number of venerable buildings remain on Main Street where he killed two men in 1883.

Medicine Lodge, Kansas, site of the bloody 1884 bank robbery where Henry Brown and his gang killed two bank officials, then were chased by a posse south to the Gyp Hills. Brought back to town and lynched, the bank robbers were buried in a common grave just outside the cemetery.

Lincoln, New Mexico, was a frequent haunt of Henry Brown during the late 1870s. He headquartered for a time out of "The House," now maintained as the Courthouse Museum. He helped ambush Sheriff Brady on the town's only street, and he fought in the Five Day Battle. Many original buildings still stand, including the Tunstall Store.

BOOKMART

235—TEN DAYS ON THE PLAINS. *By Henry E. Davies; ed. by Paul Andrew Hutton.* Originally published in a limited edition in 1871, this well-illustrated and produced book is an account by Civil War General Henry Davies of a spectacular hunting expedition on the high western plains. Davies features a young scout, William F. "Buffalo Bill" Cody, as the central figure in the story of the expedition. 194p. Southern Methodist University Press.
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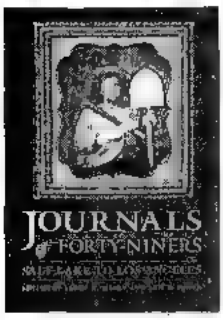

727—JOURNALS OF FORTY-NINERS: SALT LAKE TO LOS ANGELES. *Edited by LeRoy R. Hafen & Ann W. Hafen.* The Hafens have assembled a fascinating array of diaries and memoirs of forty-niners who set out from Salt Lake City toward California's goldfields over the Old Spanish Trail. For many would-be gold miners, this dry, dangerous trail was preferable to crossing the Sierra Nevada. In reality, the choice of the southern route did not ease travelers' efforts. The narratives herein provide fine descriptions of these challenges. "...a prized addition to our knowledge..."—*American Historical Review.* 336p. University of Nebraska Press.
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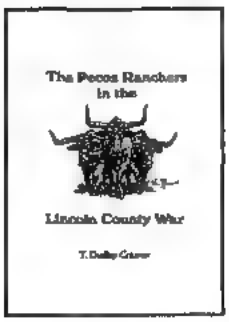

706—THE PECOS RANCHERS IN THE LINCOLN COUNTY WAR. *By T. Dudley Cramer.* Focusing on the Beckwith family, Cramer shares the story of the small ranchers from the Pecos Valley who played a prominent, often misinterpreted role in the Lincoln County War in New Mexico Territory. With rare exception these largely hard-working cattlemen and cowboys sided with the Murphy-Dolan-Riley partisans, believing strongly that the opposing forces of Tunstall-McSween and John Chisum were trying to oust them from the Pecos country. Cramer offers many rare, previously unpublished photos in this important history. 215p. Branding Iron Press.
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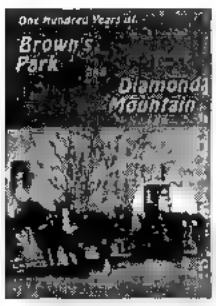

665—ONE HUNDRED YEARS OF BROWN'S PARK AND DIAMOND MOUNTAIN. *By Dick and Daun DeJournette.* The DeJournette family has resided in Brown's Park, home of the infamous Brown's Hole, since 1895, the year that Dick's father, Ford, arrived as a young cowboy. Ford became acquainted with and befriended many of the area's most well-known characters, such as Harry Tracy, Butch Cassidy, and David Lant. This book is an account of the DeJournette family's life as well as a revealing history of the famous region in which they settled and lived. 476p. DeJournette Enterprises.
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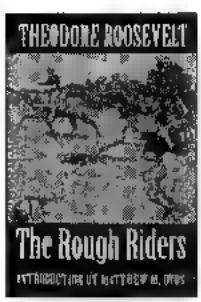

730—THE ROUGH RIDERS. *By Theodore Roosevelt, introduction by Matthew M. Oyos.* *The Rough Riders*, published the year after the Spanish-American War—or in Roosevelt's words, "the splendid little war"—is Roosevelt's account of the mustering of the regiment, many of the troopers of which came from the American West, the perils endured, and the horseback charge up Kettle Hill during the battle for San Juan Heights. This reprint gathers eleven important photographs from earlier editions of the work and also contains two new maps and an index. 320p. University of Nebraska Press.
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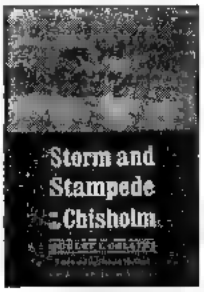

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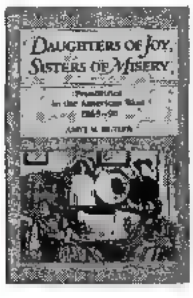

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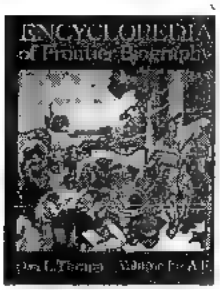

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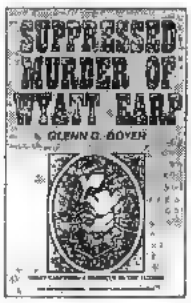

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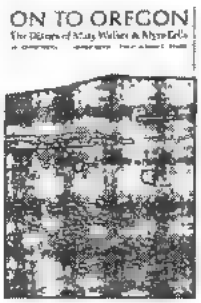

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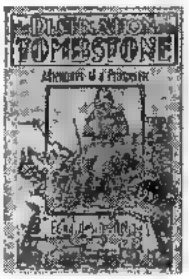

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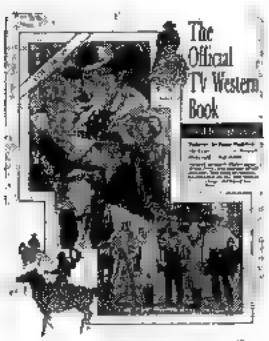

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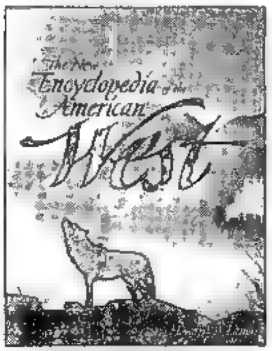

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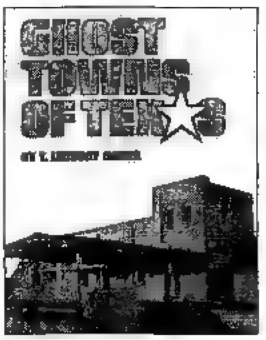

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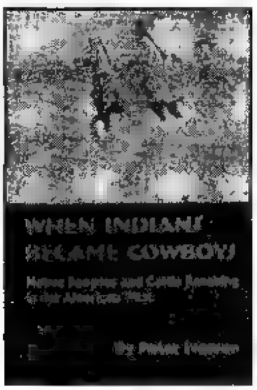

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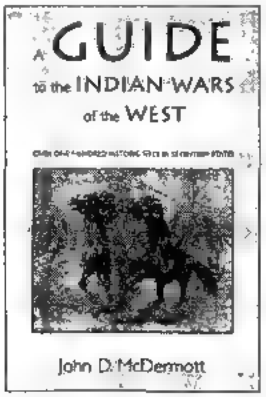

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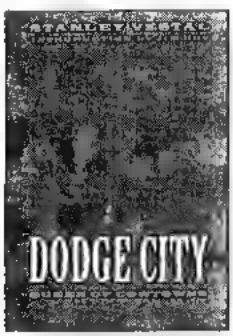

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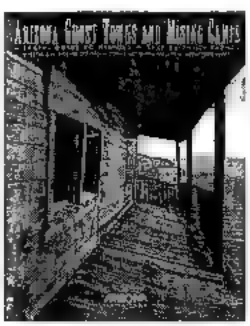

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The Search for the APACHE KID'S Daughter: Part II

By Lynda A. Sánchez

Author's Collection

Lupe Fimbres Muñoz dressed to go out dancing. Lupe loved to dance and socialize once she became accustomed to life with the Fimbres family.

Western Publications

The Apache Kid.

Editor's Note: In the first installment of "The Search for the Apache Kid's Daughter" (January 1999 *True West*) author Sánchez detailed the 1915 capture of Guadalupe Fimbres Muñoz. Found living in the Sierra Madre with a group of renegade Apaches, Lupe was adopted by the Fimbres family and early research indicates she may have been the daughter of the infamous Apache Kid. In 1981, author Sánchez travelled to the Sierra Madre in search of more answers to the mystery of Lupe Fimbres Muñoz.

Thus far, the majority of written material about Lupe Fimbres Muñoz had come from my interviews with members of either her family or those who knew her after her 1915 capture. One of the most interesting accounts is recorded by Dr. Helge Ingstad in his book *Apache indiarnarne*. Though some have criticized Ingstad as being a "prima donna" or an adventure-driven anthropologist who only wanted a good story, in his book he accurately presents the life and times of residents, both Hispanic and Indian, in the Sierra Madre of the late 1930s.

I am amazed at his success and his astute observations, considering the limited amount of time he spent organizing his trip into the Sierra Madre. It is easy to criticize, but when viewed from several perspectives, we owe Ingstad a debt of gratitude. He had written to many experts on the region, as well as people like Jack Rowe, Dixie Harris, and other anthropologists to glean as much information as possible before setting out in 1937.

Unfortunately, by the time of his expedition, the majority of the Sierra Madre Apache remnants were gone. The few remaining were truly bronco and mistrusted any contact with the white world. Perhaps if historians Grenville Goodwin and Morris Opler had continued their work together, they could have eventually succeeded in bringing these people to a reservation in the United States. Goodwin's tragic and untimely death was a loss, not only for the Sierra Madre Apaches, but for the entire field of anthropology.

Ingstad, as most foreigners in

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Mexico, would have made mistakes and misunderstood people's comments and some of the area's folklore and history. Depending solely on translators is a tricky business. Ingstad, however, had an adventurer's flare for story-telling and overcoming adversity, especially for that time period. Most of what he wrote has been corroborated by many of my informants and bypersonal observations.

Therefore, Lupe's story would be incomplete without discussing his account of a meeting and subsequent interview with her. One of the most startling pieces of information came both in Ingstad's correspondence to me and also in his book, when he stated that Lupe had revealed to him that the Apache Kid was her father. He had no reason to doubt her, nor do I. We also know that the Kid spent a good portion of his outlaw years in the Sierra Madre.

Lupe believed the Kid was her father but admitted she never remembered him. She rarely discussed her father or any of the past, especially when she discovered from her adopted family the atrocities committed by the Apaches against the very people who had raised her.

Roberto Muñoz remembered that his stepmother always denied that Apache Juan was her father. Oral historian Rodolfo Rascon Valencia claimed that according to his sources, Lupe was the daughter of a sister-in-law of Apache Juan. As they would say in Spanish, *una sobrina política*, niece by marriage. Others indicated he was an uncle. Whatever the relationship, Juan, according to some, was so angered by her capture, that until his death in 1931, he declared a blood feud with the mountain residents, with perhaps the exception of Lupe's immediate family.

Venganza, or vengeance, was common to both sides and ultimately destroyed Apache Juan and his band, as it had also destroyed Francisco Fimbres' life. Because Lupe's mother was close to Juan, and still alive for many years after her daughter's disappearance, the hatred, the robbing, and violence were escalated, especially by the Mexicans after 1927.

Lupe, according to both Ingstad and Roberto, claimed she never really knew her father, as he often stayed at San Carlos. Her mother had run away and was pregnant with her at the time. Other accounts say that Lupe's mother had been a captive of the Kid, around 1900. We know that Lupe was about fifteen when captured, and that she was born in the Sierra Madre after her mother came across the line with Apache Juan's band.

Was the Kid also part of the band at the time, or did he join later, coming and going as he wished? We know he preferred spending his time at San Carlos where most of his family, friends, and his first wife and family resided.

Author's Collection

Jack Rowe, during roundup on Rancho 31, circa 1931. Rowe was one of the gringos involved with Apache depredations. Because of his medical knowledge he saved the lives of several young Apache captives, including Carmina (Carmela). His wife and Lupe were friends.

The Kid, however, spent more and more time in the Sierra Madre after his trial and subsequent escape in 1889 from the stage carrying him to Yuma state prison. He was a fugitive from that moment until the end of his life some time in the twentieth century.

Reports have him living in various places, either in Sonora or in Arizona. Edgar Perry, tribal historian for the White Mountain Apaches, wrote to Kid biographer and researcher Phyllis de la Garza that "it was known by their people that the Kid was not killed in the wilderness, but lived in the Sierra Madre, keeping a low profile from his enemies...." A nephew of the Kid, Joseph Adley, mentioned that he was still alive in Sonora, that he had married, raised a family, and other Apaches saw him from time to time. In 1899, Emilio Kosterlitsky said that the Kid was alive in Sonora and living peacefully in the Sierra Madre with remnants of his people.

To think that a daughter of the Apache Kid survived well into the twentieth century was fascinating. At first, I gave little credence to this information, because others had claimed she was Geronimo's granddaughter or Apache Juan's daughter or niece. Some had no idea, nor did they care. As one individual told me, "Why dredge up the past and that outlaw history?"

However, after I had Ingstad's book translated, I began to believe the validity of his data; so many of my own other informants had described events, people, and lifestyle very much in the same manner. During my personal visit with Lupe's Mexican family, I began to believe it to be more than possible.

As Ingstad wrote, "I sent off a messenger to tell that I had a greet-

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Author's Collection

Lupe Fimbres Muñoz, right, and her friend, Soco.

ing for Lupe from her foster parents and got the answer that she would come to Garcia the next morning. With great expectations I looked forward to meeting the Apache Kid's daughter.

"A horseback rider comes into view at the edge of the woods and rides in towards the Mormon village, in a brisk trot. She dismounts gracefully. It is a woman, dressed in Mexican fashion, but that she is Indian is easy to see. She is about 40, of large and strong build, almost like a man. Only the long, supple fingers temper the impression. Her hair is raven-black and combed back, her face is sharply chiseled with tight skin over protruding cheek bones, the expression hard and aggressive, at the same time marked by intelligence. But that which first of all catches your attention are the eyes that glow with a wild darkness of their own under knitted brows. [Much of the latter can also be attributed to de la Garza's description of the Kid.] This is Lupe.

"A Mormon woman is a good friend of Lupe's and with her help I soon get a conversation going. First I bring greetings from the foster parents, then I tell this and that about the Apaches on the reservations in Arizona. I have to proceed cautiously, because it is a known fact that Lupe very reluctantly talks about the time she lived as a wild Indian in the mountains. After a while we become fast friends and as I then start in with my questions, she does not hesitate in answering them."

Lupe spoke cautiously, almost furtively, seeming to be very nervous. She explained to Ingstad that in 1931, when Don Cayetano killed Apache Juan, two women were also killed. The mountain people were elated because Apache Juan, the infamous and hated perpetrator of the Fimbres murders and many other depredations, was at last dead. The two women, when described to Lupe, brought an unexpected reaction. One of them was young and pretty, the other much older. Each detail froze the heart of Lupe for she knew the elderly woman was her mother, and the younger, her sister. She cried for days and days, dressing in black and mourning incessantly.

Her grief was like no other as two worlds collided, that of her Apache past and her Mexican present. One was of tribal mourning—the wailing, the cutting of hair, perhaps ashes on her face. The other, the way taught by Catholic padres, could not really be allowed since the Apaches were the Fimbres' enemies and so her sadness had to be a private grief.

It was weeks before Lupe finally revealed to her family that the elderly woman had been her mother. That was why she was so very, very sad.

Ingstad, trained as an anthropologist, surely must have wished to change the topic, yet he also wanted specific information regarding how she lived in the Sierra with her people. Though time and again her adopted family mentioned that Lupe rarely spoke of that era, the few items she revealed to them over many years, and to Ingstad, in one interview, were similar. Even little Carmina revealed the same kinds of details when Ingstad visited her in Los Angeles a few months later.

Lupe lived with a group of ten to fifteen individuals, mostly women. They moved around a lot and lived in caves or shelters of grass. Sometimes homes were constructed much like a Mogollon pithouse. A hole was dug and then covered over with grass and branches. Sometimes there was a jacal-like construction as well.

They used horses or mules when they could, often shoeing them with rawhide to prevent detection. Their weapons consisted of old rifles with poor ammunition. They ate mostly deer, mescal, the tops of onion shaped plants, honey, roots, berries, and of course, stolen corn, cattle, and horses. They had to make everything, and their clothes were of tanned cowhide or deerskin, some of it exquisitely soft and of good quality. They made pants like the men.

They lived in the cliffs sometimes, and if they had fires they would be very small so that they would remain undetected. Sitting around these tiny fires they would sing or tell stories, but never loudly, so to avoid discovery. Drums were not used for the same reason. Though no mention is made of dolls, they were probably part of the ceremonial structure as they were in other groups of remnant Apache groups.

Lupe spoke bitterly about the hated San Carlos reservation and how her people always fought with their enemies, the Mexicans.

Ingstad asked if there were only Indians living with her band. She replied, no, a white man lived with them for a long time. (Was this the

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tejano previously mentioned?) Carmina also mentioned a white man, as have many others. Were they one and the same, or were there different renegade Anglos residing, trading, and raiding with the bronco Apaches?

Their conversation continued for some hours. The account of her capture is almost identical to the one presented from my combined interviews with her family and neighbors. Ingtstad's version was recorded in 1937-38 and mine over fifty years later.

In late December 1981, as my husband and I drove into Hop Valley to the *ejido* of Colonia Hernandez, Nelda Villa, our guide, pointed out the Muñoz home to us. That was where Roberto and his wife, Mercedez Mendoza de Muñoz, resided. It was a very special moment for me because, at last, I was to meet Lupe's adopted family.

Obviously they were curious why anyone would have traveled so far, seeking information about an unpretentious woman who had lived a very modest life. Little did they realize that the elusive Lupe had been sought by many men of the academic and outside world. And, what a loss to history that no one in her family could give more than a few snatches of information as to her previous life.

However, as Nelda explained, in those days the Apaches and Mexicans were bitter enemies. No one wanted to open old wounds. Would they, even now, want to discuss these things with a stranger from the United States?

Her adopted family was gracious and after the deliciously strong *cafe mexicano* accompanied by *biscochos*, cookies, they allowed my husband to photograph Lupe's cabin. She had lived here until, as a widow, she moved to Colonia Juarez. It was crude but well-built from pine logs and chinked with the gray mud so common to this region.

During our visit I also obtained additional photographs and a real appreciation for Lupe, the individual, the wife, and mother. Later she was to become a wonderful grandmother too. We interviewed her daughter-in-law and spoke with several of the rather shy, but charming grandchildren, and great grandchildren.

According to family members, after her capture everyone was a little unsure or afraid of Lupe. Nevertheless, she obeyed those who adopted her. Despite some problems they became her true family.

They shared some peculiar, and humorous stories that developed from Lupe trying to adapt to her new language and ways. For example, she insisted on using a bag made of hide in which to keep her personal belongings, such as a pine cone to comb her long, black hair. Her soap was made from the root of the yucca or cocos. She used a canvas blanket and would keep it in a hollow by the river.

The family verified her description taken from Mormon accounts of her capture. Lupe was indeed "tall, straight and agile as a cat. Her strength was prodigious and she feared no one. She was artistic in her tastes and her beautiful work showed plainly her descent from a highly talented...people. She could carve one's likeness from a piece of bark, touching up personal features till it was at once identifiable." The result was, according to some, almost like a picture. Lupe could record the drop on one's hat brim, the bowlegs of a cowboy, the curve of a nose or mouth.

Don Pedro also affirmed her artistic ability, "Years ago she used to make doilies and pillow cases, hankies and other beautiful things when there were weddings. She was a perfectionist in her sewing."

The Muñozes also indicated that she was an excellent cook, especially when it came to bread. She also made jams and the wonderful thin tortillas common only to Sonora and Arizona.

She could weave just about anything. Horsehair belts were a specialty. When she wove baskets or hats of palm, Lupe actually went into a dark, damp hole in the earth so that her material would not crack or dry out.

In speaking to her stepson, Roberto, I learned that she made her own moccasins and that later, when she lived in Nácori, she was known as the best dressmaker in the village. I already knew this, of course, because Jack Rowe had told me many times about Lupe's seamstress ability and how his wife and Lupe became friends over this shared talent during Rancho 31 days.

Roberto noted that Lupe understood Spanish perfectly, but, never learned to speak fluently. She always spoke "kind of funny," and Roberto remembered that sometimes to get a reaction, she would deliberately say "bad words."

Occasionally, especially in the beginning, Lupe would refer to things in Apache. Reynaldo Fimbres remembered some of the words and when Betty Fimbres interviewed him for me he pronounced the words phonetically for her to record in Spanish. Some were:

-in/si/li/cu/la
-a/nue/sa man/tas
-mai / pi / que / tan / te / li
-cul/chi/des (meaning "acorns")
-gra/ta/tis/ta/le
-cus/can/es
-us/nae (This has been identified as the Apache word for their God, Ussen or Usen.)

Very little about Lupe was negative. Roberto claimed she was a good stepmother, and that with his own children, she not only spoiled them like any good *abuelita*, but that she would take them for horse rides on her back.

Though very strong physically, she had legs that were irregularly shaped It is possible that this came from a poor diet or even polio. Jack Rowe had mentioned similar problems with Carmina's ("Carmela," another young Apache captive) legs and doctors later affirmed that she had polio as a young child before her adoption by an American family, the Harrises.

Lupe was a loner, and, at times, she would just take off. Could she have been visiting her Apache relatives? No proof of this possibility existed though suspicions remained.

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When she walked she never followed a trail or road. She often took short cuts and her family believed these were trails known only to her people.

Everyone said that Lupe feared the dark and seldom went anywhere at night unless accompanied by a family member.

Shortly after her 1915 capture and until the end of the Mexican Revolution in 1920, *federales* would ride into the mountain villages searching for rebels. She despised and feared these federal troops. She simply disappeared when they came to her village.

One of the more vivid descriptions of Lupe came from Guillermo Soto of Casas Grandes. He stated that one year when he accompanied the *jefe de armas* (police chief) to Colonia Pacheco, he saw Lupe and her husband, Perfecto, ride in to visit friends. "She rode like a man, and bareback. She leaped gracefully to and from her mount." Others had also noted what a wonderful horsewoman she was and that she could ride with or without a saddle.

"Lupe loved to dress up and fix her hair. She also loved to go to all the dances and really *tirar chanclas* [kick up her heels]," remembered one elderly woman. "She was a good dancer, too, and was so nice everyone could not help but love her."

"Lupe loved meat and it seemed that she wanted it all the time," recalled Roberto. In her Apache life she developed a love for venison and horse meat. Often, after raiding an Apache camp, the Mexicans would find stacks of dried horse meat, the Apaches' favorite meat above all others.

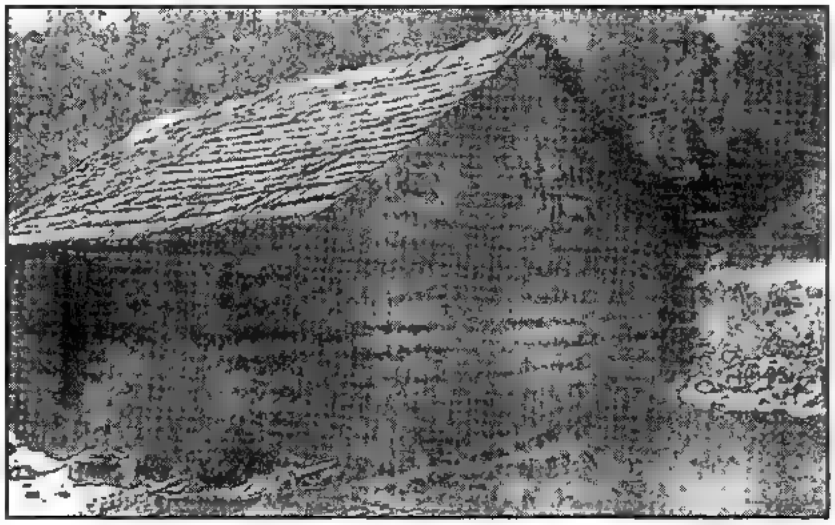
When Lupe lived near Hop Valley she would return to Mesa Tres Rios so that the Fimbres would bring her venison. Unfortunately, she had to give up the horse meat. "Sometimes the Fimbres boys would kill as many as three deer and Lupe would cut them up in a day's time. She then dried the meat and bones to take back to her ranch, El Pinal, near Colonia Hernández."

After my 1997 trip to San Carlos and the Northwest coast to retrieve some Apache artifacts belonging to Carmina, I met with Dale Miles and his assistant, Belinda Dosela, a relative of the Kid, to learn more about the Western Apache (San Carlos) connection to the bronco Apaches. It is well known among Apaches that these people came from Mexico to steal women, supplies, and to visit sacred places, even to this day.

The Apache Kid was in and out of the Sierra Madre for many years, stealing supplies and some women. The time frame was right and as I learned more about the Kid's movements, I just needed one or two more items to convince me of the relationship with Lupe.

Had Lupe been placed by her parents in the *tsach* (cradleboard) when only four days old? It is one of the most sacred and moving of ceremonies within a family or clan because it promised protection from evil spirits, lightning, and general harm, and these would follow the child until passage to the "Happy Place."

Gifts must be presented to the maker of the *tsach*. What gifts would have been available to Lupe's family? Traditional offerings were modest, yet the bronco remnants barely survived. Perhaps an offering of extra food, or feathers from the hawk or eagle, instead of a sturdy knife, pan, or bolt of brightly colored calico, were given to the cradle maker. Or, did the Apache Kid bring back special gifts from his outlaw wandering?



Author's Collection

Lupe's cabin in Colonia Hernández. This photo was taken during the author's research trip to the Sierra Madre in 1981.

Moroni Fenn, a local rancher, reported that "She has told me many times about her mother. Lupe says her mother lived at Solomonville, in Arizona, and that a great warrior came upon her and her cousin in a cane patch one afternoon." This occurred about the turn of the century. They were overpowered and taken away into the Sierra Madre.

Surely Lupe's mother must have discussed who her father was. Did her father ever know her or hold her or participate in the special cradleboard ceremony conducted for all Apache babies? Did they even have time to search for the appropriate wood, the buckskin, the amulets, the *hoddentin* (sacred pollen), and gray sage?

These questions come to mind when I think about Lupe, or José and Carmina and the others of the Sierra Madre band. It is a very sad thing to contemplate that one of the most traditional and beautiful of the Apache lifeways may not have been performed under the dire circumstances of their lives as hunted people.

As we have also learned, Apaches enjoyed social activities such as singing, dancing, chanting, gambling. That is why the Kid and many of the Sierra Madre people were continually drawn across the line to

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either San Carlos or Mescalero where these activities were common practice.

The photographs found with the box containing Carmina's clothes and other documents revealed several large dolls. Jack Rowe and his *vaqueros* had salvaged several and Rowe took two back to California with him. They became infested with insects, however, and he had to destroy them.

It took a good long while to fashion the dolls into likenesses of an Apache man, woman, or child, complete with clothing, long hair, and a small weapon, such as a bow, spear, or knife. They had round, featureless faces. Most were sixteen to twenty inches in height. Were they representative of "those who had disappeared?" (Among traditional Apaches, a person must never use terms like dead, death, or killed with reference to a specific individual; thus, the words "those who disappeared" are more appropriate. By referring to a "dead" person by name one may invoke the ghosts of that person to come back from the dead and create havoc among the living.)

Did the Apache Kid make one of the dolls or was one made for him when he disappeared? Was one made for Lupe after she was seized?

Unfortunately, there are so many questions. There will always be many pieces of the puzzle lost forever in the Sierra Madre.

The memory of her father as being a "great warrior" remained in Lupe's psyche long after her years of acculturation. She kept this to herself because of fear and also the havoc this "great warrior" and others had created among some of her new family's relatives. Silence became her shield, until Ingstad, years later, questioned her. At long last she let some of this information tumble from where it had been hidden for more than two decades.

If Lupe had chosen not to see Ingstad there would be even less information about her people, and especially the Kid and her mother. By confiding to a stranger in 1937 that the Apache Kid was her father, perhaps she finally realized that it was permissible to discuss her past and to come to grips with the reality of that past.

The elusive Lupe will always be an enigma, but I will be ever grateful that she revealed the tiny tidbits of material recorded by the Norwegian anthropologist, in particular, the relationship of the Apache Kid to her life.

Because Ingstad's book was never translated into English, the details of his journey, including information about the Apache Kid, languished for years. Only in the past decade have several individuals obtained adequate translations.

Photo courtesy Fimbres Family, author's collection

Don Cagetano Fimbres, who shot Apache Juan, is shown here with wild turkeys he had just brought into his rancho, circa 1930-1940.

Until Phyllis de la Garza's account of the Kid, few people were sympathetic to his history on either side of the border. After I read her book, *The Apache Kid*, and reviewed my notes, I realized that the Kid easily played a more significant role than previously perceived in Sierra Madre history.

There were two photographs of the Kid in de la Garza's book that kept haunting me, especially the eyes, the facial features, the set of the mouth. I also had several photos of Lupe on a table in my study. Casually one afternoon, I laid the Apache Kid book on the table comparing the photos. The family resemblance was uncanny, but was I just seeing a resemblance because I wanted to?

I showed the photos to several others, including Dale Miles and Belinda Dosela, a relative of the Apache Kid. Their opinions verified mine.

I called de la Garza, and spoke about the Kid, my work in progress, and my thoughts about Lupe being the Kid's daughter. I sent her a copy of my research on Lupe and the photos and asked her opinion. If anyone knew the Kid it would be this woman, so I also asked that she be candid. Her response was positive.

"I certainly agree that she looks just like Kid. Even her ears! Rather scary—the likeness is impossible to deny. The dates, time, place and circumstance ring true. And she of course would not have said she was a daughter of Kid if she did not think it were so. During her lifetime, he was a hated, hunted outlaw, so it was not something she would have been proud of. What a shame she died before knowing some of us have worked hard to at least partially clear his name.

"I don't think we are imagining things. The nose-the mouth-the chin-those ears-even the scowl. Also bags under the eyes-and the hairline. And, the fact she never bragged about being related to him, so she wasn't trying to gain some sort of notoriety makes her story believable."

Though we will never know for certain unless DNA analysis or some other modern forensic miracle can prove the relationship, to me Lupe is now, not only Lupe Fimbres Muñoz, but also the daughter of one of the most infamous of Apache outlaws. Their lives were filled with violence and tragedy, yet each survived well into the twentieth century, creating a niche for themselves as a part of the fascinating Sierra Madre Apache saga.

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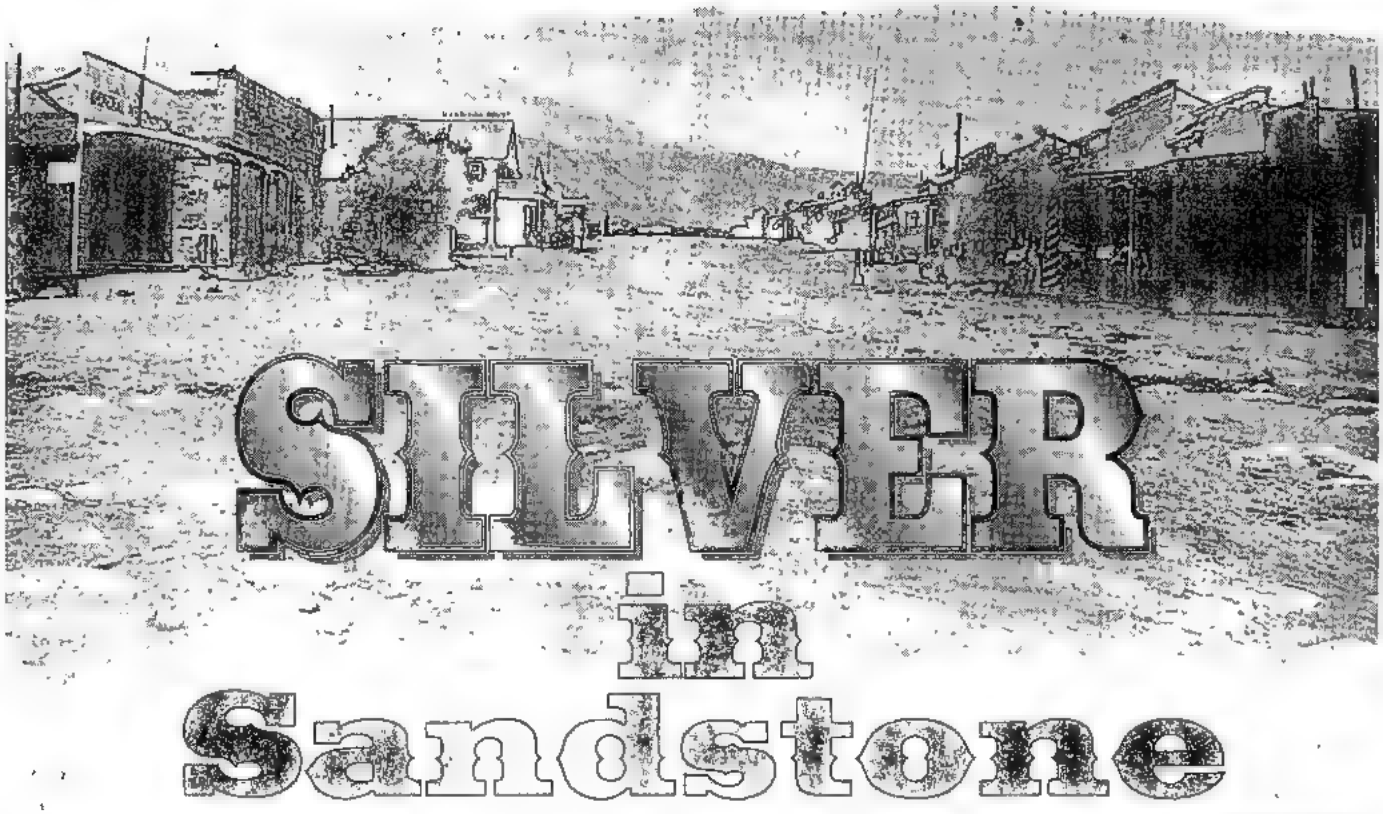
Silver in Sandstone



Utah State Historical Society

Silver Reef main street, looking north. The Wells, Fargo building and the Harrison House are featured at left. Date unknown.

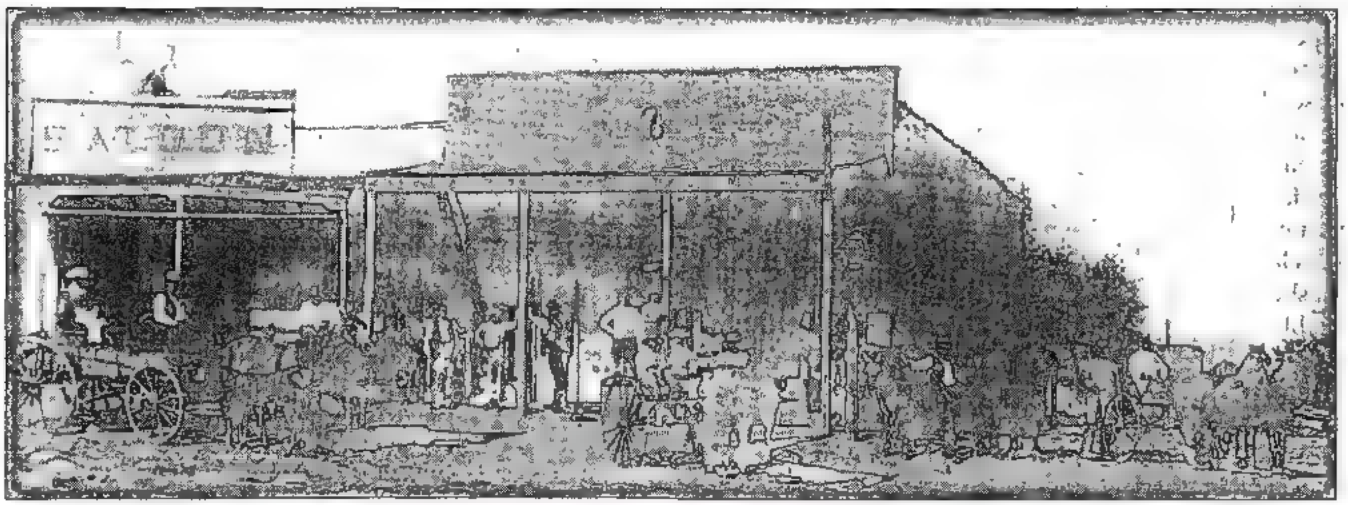
By Robert Warnick

Silver Reef, Utah, enjoyed a short but eventful life following the discovery of silver in the late 1800s. It was a raucous, mining boomtown that produced more than $10 million in silver. Its history contains stories of claim jumping, murder, hanging, and gunfights. It also had a Chinatown, prostitutes, Indians, and religious controversy.

Today, Silver Reef is a prestigious bedroom community with an intriguing blend of past and present. Its unusual homes and restored buildings stand among crumbling sandstone walls and mine debris. The original Wells, Fargo building, the Rice Bank building, and the Cosmopolitan Restaurant have all been restored at their original locations on Old Main Street.

A series of fires, miner strikes, and a disappearing silver lode resulted in the town being abandoned by the turn of the century. Its skeletal remains stood as a ghost town until the 1980s; then, like a phoenix, it began to rise from the ashes.

When the Wells, Fargo building was constructed in 1877, Silver Reef was the largest town in southern



Utah State Historical Society

Silver Reef's Elkhorn Saloon, located across from the Wells, Fargo office. Date unknown

Utah. The 2,000 residents didn't include the tribe of Indians camped nearby. It resembled the cultural and religious diversity of mining towns in other western states, but Silver Reef was unique because it was the only town in southern Utah not settled by Mormons.

Typical of settlements in the early West, there is more than one story of the origin of Silver Reef. Each tale relates the serendipitous nature in which silver was found in sandstone. This mixture of precious metal and soft, sandy rock had never been discovered before, nor has it since.

The most colorful version is that of "Metalliferous Murphy," an assayer who lived in the mining town of Pioche, Nevada. Reportedly, he could find valuable metal in anything he assayed. A group of miners in Pioche decided to put him to the test by having him analyze a piece of broken grindstone made of sandstone from Silver Reef. True to form, Metalliferous reported that it contained over $200 of silver per ton. The miners were outraged. Some reports say "Metalliferous" was hanged, others say he was "tarred and feathered" and run out of town. Another report, however, says that he headed for Silver Reef to stake a claim and became a very wealthy man

A second, somewhat more plausible account, is of a traveler who stopped at a home in the nearby town of Leeds for a few days during the winter. While there he noticed large drops of silver "weeping" from the sandstone of the fireplace. He immediately went to the quarry from which it was obtained and claimed it for his own. There is no report, however, of his success.

Most history buffs accept the tale of John Kemple. John was a prospector who is said to have found silver in a float material discovered in a stream near the Orson B. Adams home in the neighboring town of Harrisburg. His find reportedly assayed at $17,000 of silver per ton. This occurred around 1866, but he apparently questioned the results as his first claim wasn't filed until 1871.

Regardless of which tale is most accurate the significant, maybe-miraculous, fact is that silver was discovered in sandstone and the town of Silver Reef subsequently enjoyed a brief but glamorous mining life. In the years since its demise, geologists have constructed many theories of the origin of silver in the sandstone reefs surrounding the area. The controversy continues unresolved and the largest of the reefs, White Reef, still stands in stark contrast to the indigenous red earth and rock.

The Silver Reef "stampede" began shortly after Judge William Tecumseh Barbee staked his first claim in 1875. His reputation as a

Silver Reef Restored

The best time to visit Silver Reef is in the cooler months September to April, when the daytime temperatures are comfortable Visitors should begin their tour at the refurbished Powder House, near the rear of the Wells, Fargo building Inside is a glass-encased model of the town as portrayed in its prime The street layout, the locations of various businesses, and the homes of prominent citizens are shown Models of the larger mills and typical mining equipment are also on display. Audio tours relate stories of Silver Reef's residents and murder, hanging, gunfights, claim jumping, and gambling

Upon leaving the Powder House, stroll directly west to the top of the rise and walk among the ruins of houses and mines that were alive with activity during the boom Walking back toward the east, pause and read the monument telling of Father Lawrence Scanlan, the Catholic priest who operated the Silver Reef parish and directed construction of St John's Church That church, the only one in town, also housed the hospital and school, both of which were operated by nuns

Father Scanlan is also said to have befriended the Mormon church leadership in St George In fact, their relationship was such that he conducted a high mass in the Mormon Tabernacle and even used the local Mormon choir to provide the music

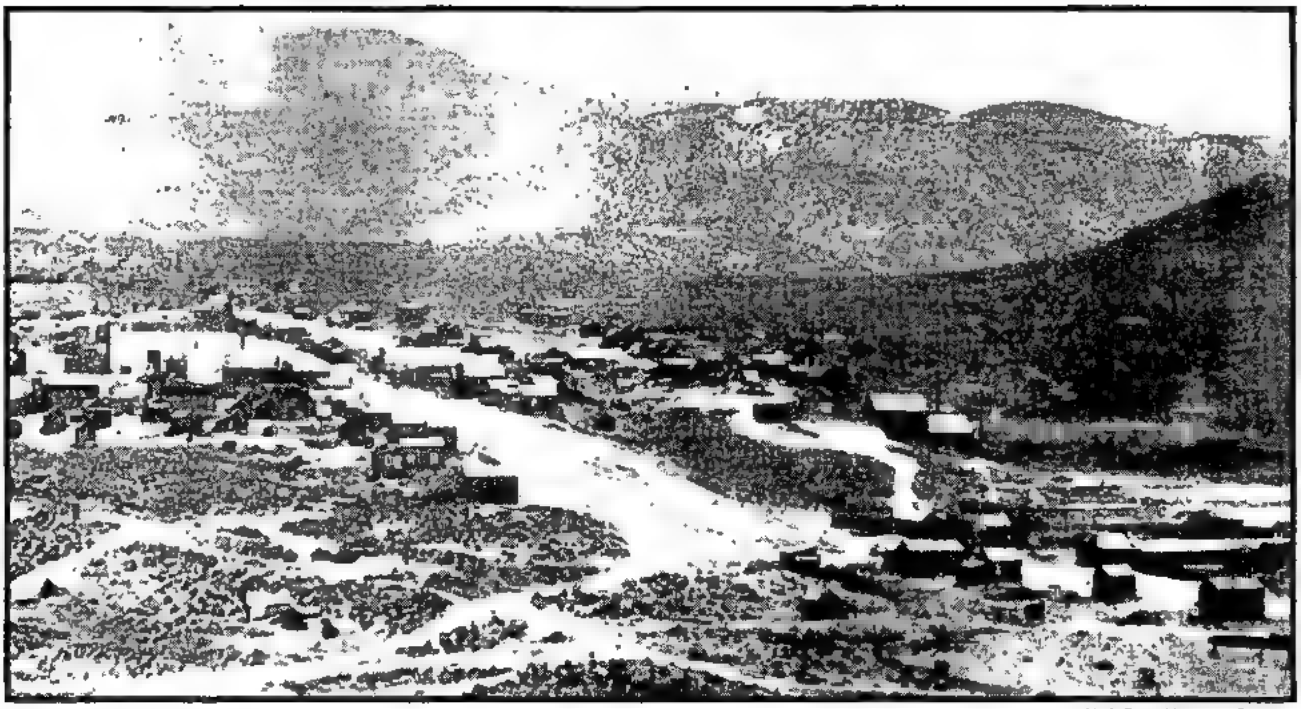
Next to the monument is the refurbished Rice Bank building, which is now a gift shop A short distance across the parking lot is the reconstructed Wells, Fargo building An art gallery inside features bronze sculptures by Silver Reef artist Jerry Anderson along with paintings and Indian handiwork from other western artists The ruins of another bank, a laundry, and some residences are visible to the north and are next on the list of buildings to be restored

Silver Reef is a fascinating mixture of past and present It provides an interesting respite for anyone with historical, geological, or artistic interests For those able to stay until evening, an enjoyable dinner is served at the restored Cosmopolitan Restaurant

This area is the center of southern Utah's Color Country Zion National Park, Cedar Breaks National Monument, Lake Mead Brian Head ski and biking resort, and many hiking, fishing, and hunting opportunities are all within an hour and a half of Silver Reef Bryce Canyon National Park, Lake Powell, and the north rim of the Grand Canyon are all less than three hours away

Silver Reef is accessible by traveling north on I-15 from southern California, or Las Vegas, to St George, or south on I-15 from Salt Lake City to Cedar City Silver Reef is just fifteen minutes north of St George or thirty-five freeway minutes south of Cedar City

ELECTRONIC



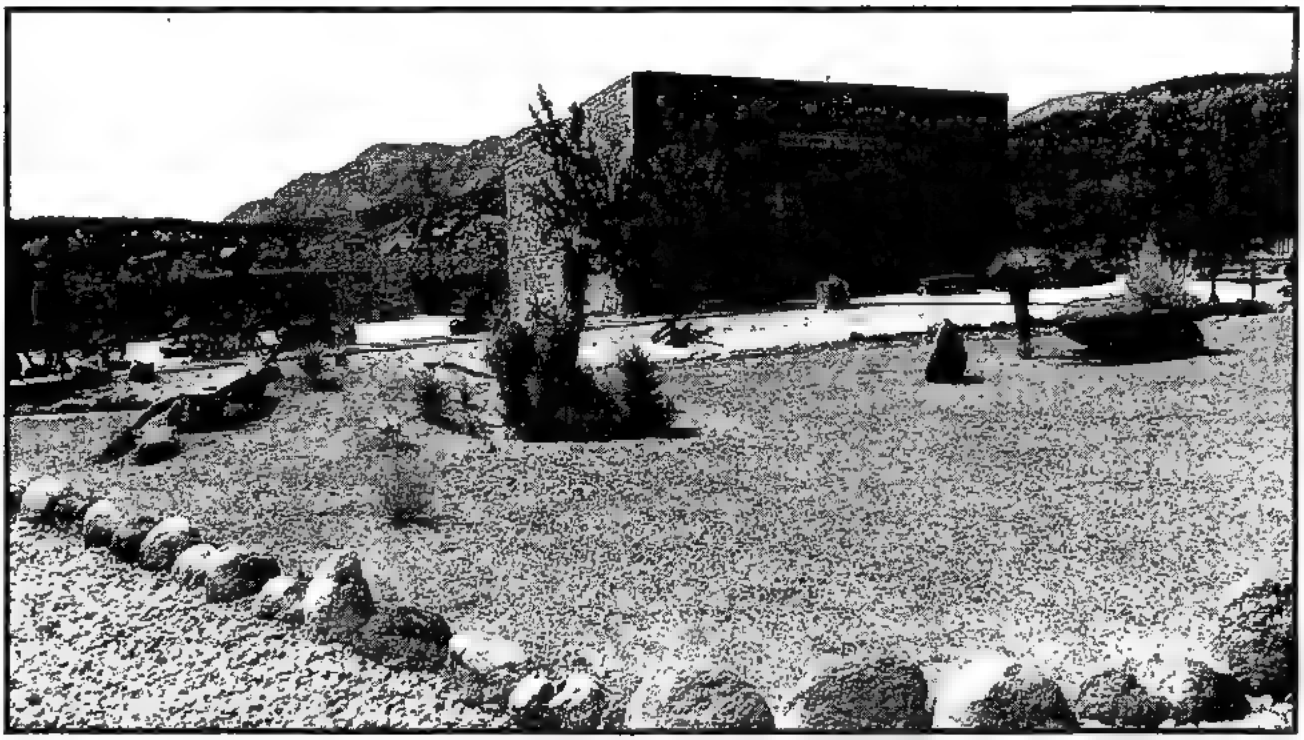
Utah State Historical Society

Silver Reef, Utah, date unknown.

knowledgeable mining man and the fact that he staked twenty-two claims helped to establish Silver Reef as a bonanza.

The town grew to include a newspaper, daily stagecoach, blacksmith, shoemaker, laundry, photography studio, doctor, and an undertaker. The business district thrived by serving the miners, who were paid a comparatively high wage of $4.50 per day. In contrast, laborers in the surrounding area earned $1.50 per day. The miners spent most of their earnings in the nine grocery stores, two drug stores, six saloons, two dance halls, one billiard hall, and six eating establishments in town. The Harrison House Hotel also provided room and board for fifty men.

Like most western mining towns, Silver Reef also boasted a "Chinatown." Two to three hundred men, women, and children are said to have lived there. The Chinese worked primarily in service-connected businesses—laundry, restaurants, meat markets, and the like. They had their own mayor and justice of the peace and followed the



Author's Photo

The restored Wells, Fargo building on Main Street, Silver Reef, Utah.

Utah State Historical Society

Barbee & Walker Mill on White Reef, located west of Silver Reef, Utah.

customs and language of their homeland. Chinatown also had its own cemetery on the foothill south of town. As part of their burial rite they would place containers of food on the grave site to aid the deceased in his or her journey to heaven. This tradition was of interest to the local Paiute Indians who were occasionally seen helping the dead dispose of the generous food supply left on the graves. Many years later a former resident of Chinatown, Sam Gee, returned from San Francisco and had all of the Chinese bodies exhumed, wrapped in tea leaves, and sent to China for permanent burial.

Silver Reef flourished as a boomtown for about seven years. Its decline began in 1879. That year there were major fires in some larger, more productive mills, and in May, a fire destroyed half the town. A headline and article in the local newspaper, the *Silver Reef Miner*, read:

> IN ASHES, THE BEST PART OF SILVER REEF BURNED TO THE GROUND. A CONFLAGRATION SWEEPS THE WEST SIDE OF THE TOWN.
>
> Looking northward from the roof of the bank a charred and open space was all that remained of the western side of Main Street. The Harrison House with its stately height, and all the buildings on the west side of Main were gone with the exception of the blackened wall of two small stone buildings

The report's accuracy is questionable as the Wells, Fargo building is on the west side of Main Street and is still standing; nevertheless, this catastrophe, along with a miners' strike in 1881, prompted the exodus of the major companies. They had all vacated by 1901 and Silver Reef was a ghost town by 1908.

During the next seventy-two years prospectors, vandals, and the weather exacted a heavy toll on the remains of Silver Reef. Homes, businesses, and mines disappeared. Only the Wells, Fargo building and traces of other structures that were once vital to the town's existence remained.

Then, in the early 1980s, efforts were begun to develop Silver Reef. The Wells, Fargo building was the first structure to be restored to its original condition. Behind its huge, metal, security doors there is now a museum and art gallery with mining and western artifacts juxtaposed with modern art. The Rice Bank building and the Cosmopolitan Restaurant, situated on either side of the Wells, Fargo building, have also been restored. Approximately twenty-five families have built homes in the "new" Silver Reef.

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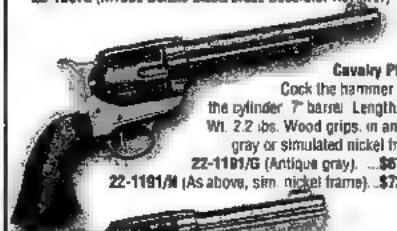

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REVIEWS

Legend of Wyatt Earp

Inventing Wyatt Earp: His Life and Many Legends. By Allen Barra. (Carroll & Graf Publishers, Inc., 19 West 21st Street, New York, NY 10010-6805. 432 pages, illustrated, bibliography, index. $24.00 Paper.)

When the *True West* editor sent a copy of this book to me to review, he added a note: "Here we go again!" He was referring to the stream of new Wyatt Earp publications I had commented on in reviewing another volume on Earp a few months ago. Although I was not particularly enthusiastic about wading through yet another recital of the Earp story, I found this book interesting, as its major focus is on the origin and perpetuation of the Wyatt Earp legend, rather than the facts of the man's life only.

Allen Barra, a sports columnist for the *Wall Street Journal* and a frequent contributor to the *New York Times* and *ESPN Magazine*, according to the publisher, has apparently dug deeply into the extensive literature relating to Earp and has been aided in his research by veteran Earp aficionados Jeff Morey, Bob Palmquist, and Carl Chafin. His balanced and well-reasoned retelling of the Earp story would be welcomed more readily had not Casey Tefertiller's 1997 *Wyatt Earp: The Life Behind the Legend* told it better and more completely. Tefertiller touched on the evolution of the Earp legend; Barra explores that evolution in detail. Therein lies the value of his contribution.

Barra explains how Earp's reputation as an admirable or despicable western frontier figure has ebbed and flowed over the decades through his depiction in newspapers, magazines, books, motion pictures, and television. He shows how popular culture, even children's toys, influence a legend.

One of the most fascinating stories he relates concerns a Wyatt Earp doll "in a long black coat and black, flat-brimmed sombrero [looking] like a Sicilian bandit" he found in a Toys R Us. According to the text on the box, Earp had "a very bad reputation" in Dodge City where he led a gang, and in Tombstone he "helped to kill three men." Barra set out to determine who wrote this copy and where the information originated. After some ingenious detective work, he found that the text had been written by a man in Taiwan, who got his information from remarks critical of Earp included in a book by an Australian, who in turn drew his view of Earp from the extremist anti-Earp comments of Frank Waters in his 1948 book, *The Colorado*. Thus, says Barra, "a book of dubious credibility is read by an Australian author...; his book is used by a man in Taiwan writing text for the box of a toy manufactured by a Canadian firm to be bought by an unsuspecting child in a Livingston, New Jersey, shopping mall."

Barra is a good writer and there are flashes of brilliance in his recitation and analysis of the complicated Earp story and legend. One wonders why, if he were well schooled in the literature of Earpiana, he could conclude in a lengthy chapter devoted to Doc Holliday that Bob Boze Bell's 1994 *The Illustrated Life and Times of Doc Holliday* "is the only book available that can walk the general reader through Doc's story with his-

torical accuracy." He simply ignores Karen Tanner's *Doc Holliday: A Family Portrait*, and Ben Traywick's *John Henry*, fine contributions to our knowledge of Holliday, both published in 1996. Strange also is his reference to a letter quoted in Frank Walters' *The Earp Brothers of Tombstone* as being from "someone named Benjamin Streeter." How could he not be familiar with the work of Floyd Benjamin Streeter, a respected historian of the Kansas cowtowns?

Barra's seeming Earp erudition becomes even more questionable when he makes misstatements of firmly established historical facts. Walker and Wagner were not both killed in the Dodge City fight in which Ed Masterson lost his life, and Bat Masterson in 1882 was city marshal at Trinidad and not sheriff, as Barra asserts. Even in his detailed review of Earp movies, an area in which he excels, he makes careless errors. Bat Masterson, he says, "never put in an appearance in an Earp movie until *Wyatt Earp* in 1994," and yet I seem to remember Kenneth Tobey as Bat in *Gunfight at the OK Corral*, released in 1957.

Even more irritating to students of Earpiana who examine this book is the lack of attribution for its many quotations and controversial statements. They will want to know where the information originated, but they will look in vain for explanatory endnotes. There are endnotes, indeed, but they are merely extension of Barra's text.

My review copy of *Inventing Wyatt Earp*, lacking illustrations, bibliography and index, is an "uncorrected proof," according to the publisher, who cautions that any quotes used for review must be checked against the finished book. Since the publisher also announces the finished book will not be available until December 1998, I have taken the liberty of pointing out a few of those quotations which might be changed or corrected. Perhaps in that final edition the countless errors of work omission, grammar, spelling, and italicizing will also be corrected. As it now stands this "proof" poses a real challenge for the reader and any editor who tackles it.—*R.K. DeArment, Sylvania, Ohio.*

Juan N. Cortina: Another Pancho Villa

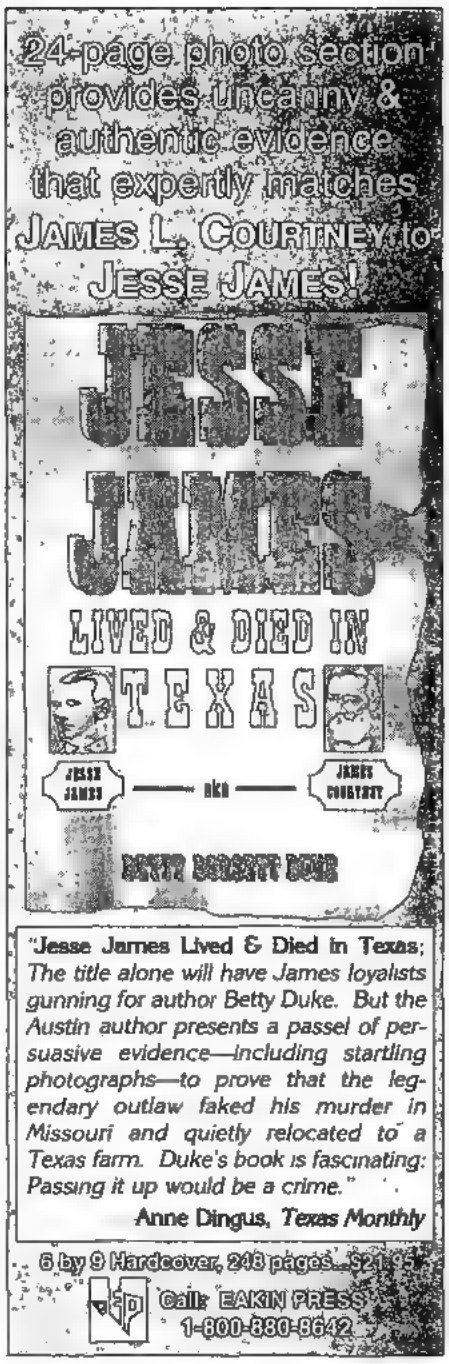
Fifty Miles and a Fight. Edited by Jerry Thompson. (Texas State Historical Association, 2.306 Sid Richardson Hall, University of Texas, Austin, TX 78712. 328 pages. $39.95 Cloth.)

Fifty-seven years before Pancho Villa struck at Columbus, New Mexico, and scared the United States into hurrying troops to the Mexican border, Juan N. Cortina caused the same result by raiding Brownsville, Texas. But unlike Villa, Cortina kept on raiding ranches on the American side of the Rio Grande for months, inciting both Texas Rangers and American army units into counter-raids into Mexico, *a la* Ranald Mackenzie.

Like Villa, Cortina was an illiterate ranchero, turned skilled guerrilla, who ended up a general in the Mexican army. He turned a simple private feud against a couple of Brownsville politicos into a guerrilla war and an international incident.

The officer who rushed to Fort Brown (Brownsville) to restrain Cortina was Major Samuel P. Heintzelman, the commanding officer at Camp Verde in the Texas hill country. This book is a skilled editing of his journal of Texas duty. It is a day-by-day—almost hourly—account of the minutiae of garrison life, and may not appeal to every reader of Western Americana because it is not only "parochial" but enormously detailed. And there is a lot more comment about the weather, the major's health and his meals, including an armadillo supper, and the condition of Camp Verde's garden, where hogs raided the watermelons, than there is information on Indian scares or cavalry reconnaissances.

However, this book is just the thing for those of us seriously interested in border history, for Thompson, as ever, does a splendid job of interpreting the major's personal "take" on the little-known campaign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of 1859 on the Rio Grande. He relates it to the bigger picture, the political chaos in Mexico, where Liberals and Conservatives were at each others' throats and Heintzelman was never sure if the commander in Matamoros was cooperating with him against the *bandido*, Cortina, or vice versa. At the same time, Civil War storm clouds were gathering in Texas and the anti-Catholic, pro-slavery Knights of the Golden Circle was active in both Brownsville and Matamoros, scheming to annex northern Mexico as a protectorate.

This book does triple duty. First, it describes at length the Texas career of Heintzelman after his Arizona days. Then, it details his campaign against Cortina. The best part, however, may be how it reveals Heintzelman's blunt outspokenness in sizing up personalities. Although he esteemed Texas Ranger John S. Ford, he had little respect for "Rip" Ford's rival, Major William G. Tobin, and none at all for rank and file Rangers. He saw them not only as an undisciplined band of rogues, but also sometimes as cowardly as they were racist and brutal. When Heintzelman saw that the Rangers lynched Mexicans, friend and foe, and burned and plundered ranches, like Cortina himself, he put his true feelings about these auxiliaries, ostensibly under his command, into his journal: "We would, undoubtedly, have done better without the Rangers....They are doing no service, and only bringing disgrace upon the country."

The major was equally frank in describing his own officers. Captain George Stoneman was his only dependable subordinate. Captain Dawson refused to obey his direct orders, and the major's incompetent adjutant, Lieutenant Charles W. Thomas, was just "a fat, lazy lout."

Telling it "as it is," Heintzelman makes clear how difficult was his mission, and why General Winfield Scott called his execution of it "brilliant."—*Richard H. Dillon, Mill Valley, California.*

Old West Saloons

Hell's Best Friend. By Jan Holden. (J.P. Holden, 701 Manzanita Way, Vancouver, WA 98661. 74 pages. $8.95 Paper.)

For those of us who study the past, it is a well-known and accepted fact that much of what made the Old West exciting happened in, and because of, saloons.

Much has been written about the gunfights, floozies, madams, gamblers, and others that frequented such places. But precious little has been written about the establishments themselves.

Until now. Writer Jan Holden has delved into the liquor-soaked stories surrounding some of the famous, and not so famous, saloons. And it's not just western history that was affected by the old time saloon; saloons influenced the entire society of Victorian America. In the last century, the saloon was a strictly masculine place, which accounts for why so many of those opposed—sometimes violently—to their existence were women.

Holden, in her clear, concise style, explains how and why the saloons of the Victorian era came to be and how they affected those around them. She has included individual stories of both the saloons' habitues and their detractors—those devoted to "temperance." One excellent point that this author makes is that temperance was a misnomer; those who claimed to be for temperance were, in fact, for prohibition.

The reader is treated to unusual stories, such as the saga of Nettie Wright and her Wyoming saloon that featured a roller rink, of all things. There is another story about a murderer who was captured because of his fondness for expensive cigars. Also included in this fascinating little volume are songs, woodcuts, and various photographs from the period.

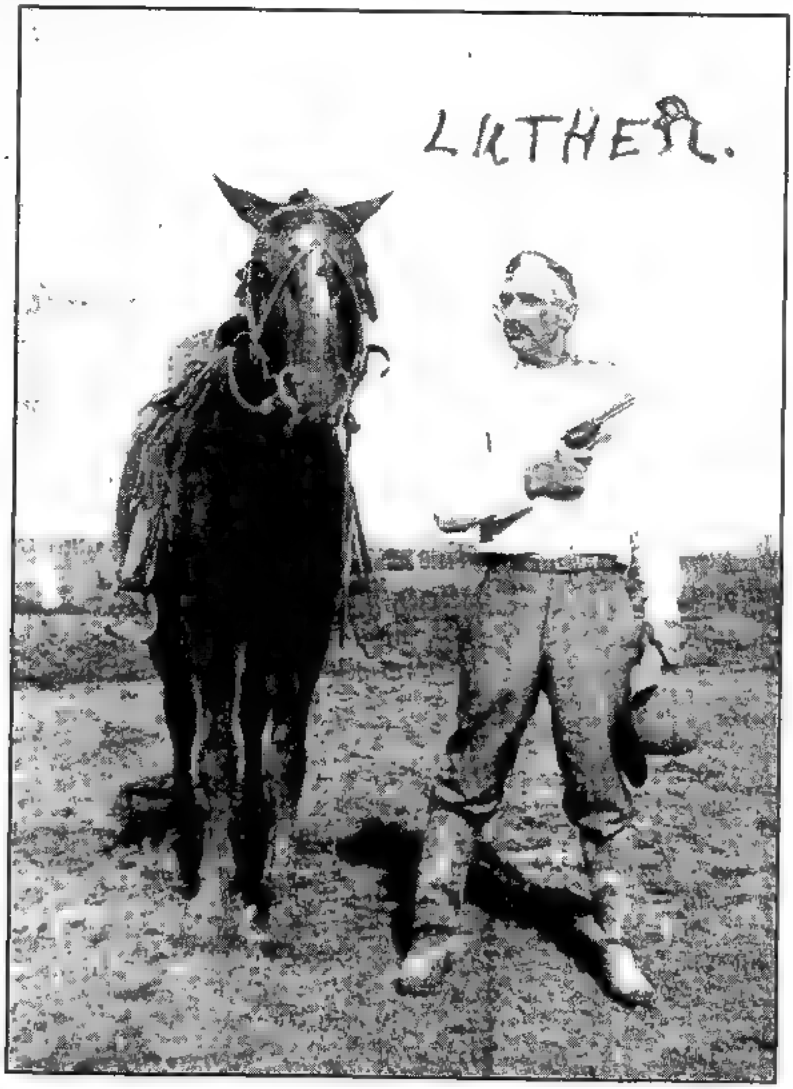
For anyone interested in Americana at its best, this book's for you!—*Drew Gomber, Lincoln, New Mexico.*

ANSWER MAN
BY CHUCK PARSONS

NORIAS BATTLE PARTICIPANT UPDATE

Back in the May 1998 issue I responded to a question from Sandy McCutchan of Coahoma, Texas, concerning the notorious Norias Rancho gunfight of August 9, 1915. Her great-uncle, Luther B. Perryman, was a participant, but she knew little of his later life, only that he died about 1938-39.

Perryman died by an accidental self-inflicted gunshot wound on March 18, 1939, near Pharr, Hidalgo County, Texas. He was sixty-four at the time of his death. Ms. McCutchan shared with me two photographs of her great-uncle, wonderful images of a turn-of-the-century "working cowboy" with a flair for the dramatic. Both photos show Perryman with his horse, "Shorty." The one of him mounted is particularly intriguing as it shows the man in working ranch clothes, a rifle in scabbard, holster and gun belt, and in his shirt sleeves. The pistol in hand is for the benefit of the



Courtesy Sandy McCutchan

Nonas Rancho battle veteran Luther B. Perryman and his horse, "Shorty."

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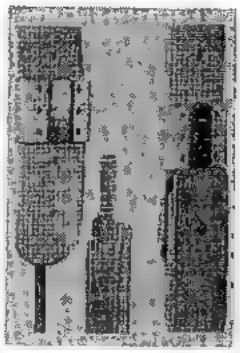

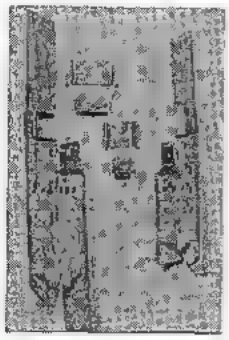

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Courtesy Sandy McCutchan

Luther B. Perryman astride "Shorty."

photographer of course, but it was no doubt as much a part of his attire as his boots or hat!

A Black Jack Oversight

In the September 1998 *True West*, I answered a question regarding books on the Black Jack gang of southwestern outlaws. I overlooked an important book containing considerable material on the two Black Jack gangs: *Robbers, Rogues and Ruffians: True Tales of the Wild West*, by Howard Bryan, published by Clear Light of Santa Fe, New Mexico. Not only does Bryan devote a little more than one hundred pages to the "High Fives" and the gang of Tom and Sam Ketchum, he also includes excellent photographs of various gang members.

Pete Kitchen: Indian Fighter

Pete Kitchen's name is familiar to most western buffs, but surprisingly, his career has never inspired books or movies. Tim Dye, Stafford, Kansas, inquires about this Arizona pioneer. Kitchen was born in 1819 in Kentucky and relocated to Tennessee with his family as a child. In his mid-twenties, he became a teamster for Zachary Taylor's army in south Texas; by the end of the Mexican War he was a wagonmaster.

After a stint in Oregon Territory he traveled south through California, and in 1854 established himself in Arizona Territory. Having acquired a small herd of cattle he made a home for himself on the Santa Cruz River some twenty-five miles south of Tucson.

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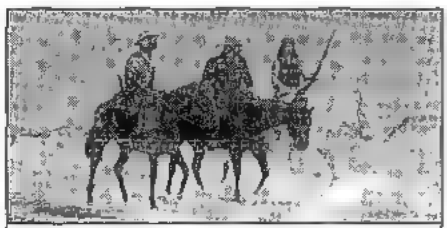

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Indians burned him out in 1861. During the Civil War he resided in Tucson, then relocated in Magdalena, Sonora, Mexico. He returned to Arizona around 1868. Then he built himself a fortress-ranch headquarters half way between Calabasas and the Mexican border. He farmed, increased his cattle holdings, and improved the land with an irrigation system. By 1869 he had established himself. Other settlers had been driven out by Indian raids, but he was determined to stay or die. During many raids he did lose stock, but he remained, his fortress becoming a haven for travelers, army officers, and those seeking adventure. In spite of Indian raiding parties he began hauling produce to Tucson in 1870 and continued this operation throughout many years. In addition to his farming and fighting, he was a mail-carrier from 1873-1876. By 1875 he started mining operations, later selling his properties when advantageous. When the railroad arrived at Nogales, Kitchen's role as a "frontier patriarch" diminished and he sold out and moved to Tucson. By the end of his life, August 5, 1895, he had become somewhat of a folk hero.

Historian Dan Thrapp said of him, "he was the type of which sagas are woven and legends created; he was a positive influence."

How to Combat a Poisoned Arrow

I want to share a real gem which I recently found by accident. I came across a little, soft-cover booklet published by J. Marvin Hunter of Bandera, Texas, in 1931. Hunter founded *Frontier Times* magazine, and the booklet is entitled *Bloody Trail in Texas: Sketches and Narratives of Indian Raids and Atrocities on Our Frontier.*

One story, with no author given, tells of how pioneer Rufus Click, in 1866, desperately rode up to the house of John A. Jones in Bandera County. He had been "chased by Indians" and was badly wounded. He was assisted into the house and made as comfortable as possible, for he was deathly sick, having been shot with a poisoned arrow. The

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arrow had struck Click in the back, "*but he had pulled it out as he ran* [emphasis added]."

While waiting for a doctor Mrs. Jones clipped the shirt from around the wound, stopped the flow of blood, and put hartshorn on it. We are further informed that "the pain was like that after being bitten by a rattlesnake, for the spike was poisoned by venom from one of those most deadly reptiles. The doctor gave strychnine to counteract the effect of the poison."

Perhaps a doctor among our readers could share his or her thoughts on administering strychnine to an arrow victim!

Bowie Knives

David Lee, a reader from Birkenhead, England, is researching the Bowie knife, made famous by James Bowie of the Alamo, but actually created by James Black. We have exchanged a number of letters concerning this famous frontier weapon, but Mr. Lee's original question was to inquire if there was a "correct" way to fight with a Bowie knife.

I found one statement in a juvenile book about knife-fighting "schools" being organized in New Orleans, but no further details. In *The Gun Digest: Book of Knives*, by Jack Lewis, fourth edition, 1992, appear a few statements on how to use the knife. In essence, when fighting a man, hold the blade horizontally, as presumably the blade will better pierce the ribs if held in that manner. If fighting an animal, or "a beast on all fours, hold it vertically. If fighting a bear, remember to turn the knife horizontally if he rears up on his hind legs."

Other interesting points: the knife made for James Bowie was not a hunting knife, but, as Raymond Thorp wrote, "a weapon designed for the sole purpose of knife-fighting." Thorp also mentions "Bowie-Knife schools in all major cities of the Southwest, from St. Louis to New Orleans." One patron of such told a reporter of an 1861 publication that he "had taken regular lessons in the knife school in St. Louis, where once I saw two Frenchmen fight for half an hour with Bowie-knives—cut and parry—and all the harm done was, that one of them lost his little finger by a clean slash, and the other bit the man's thumb off, after first missing gouging him. I have been in fusses at San Antonio among [Mexicans], where the clicking of knives sounded like winding up clocks.... I'd rather be pistoled than cut—ten times over."

One can only assume that there is a "school" to teach people the proper way to fight with a Bowie knife, or with similar weapons, just as there are schools to teach the art of fencing. Of course, fencing is a sport, not a life or death struggle.

If you have a question, send it to Chuck Parsons, Western Publications, P.O. Box 2107 Stillwater, OK 74076. Please keep questions brief. Sign your full name and address, including zip code. Names will be published if question is used. Space limitations may not permit us to use all questions. Due to the volume of mail, we cannot forward correspondence to people whose questions appear in "Answer Man."

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It happened so suddenly that accounts of the shooting were conflicting and confusing. Was it an accident? Was it some sort of a duel? The two shots sounded as one. Some eyewitnesses reported seeing the two men engaged in some sort of horseplay earlier. Still others whispered of bad feelings existing between the two men for some time.

Young Fraley was survived by his parents; one sister, Daisy; and brothers Wesley, Marcus, and Doctor J. J. Fraley. Little is known about Dan Parker other than he was supposedly in town, with his brothers, to make arrangements for some logs to be shipped over the Missouri-Kansas-Texas Railroad.

Author's Collection

Morphis and Price Merchantile, 1893.

Contemporary accounts state that Parker's wounds were treated before he was transported to the county jail later in the week. These same reports do not state who treated his wound, but Doctor J. J. Fraley's office in the bank building overlooked the scene of the shooting.

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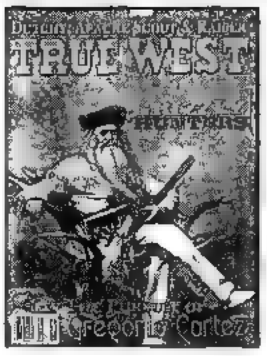

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southern portion of the Osage Reservation.

It was in 1886 when two traders named Hale and Phillips were issued a government license to trade with the Osages. Moving to Penn Creek, they built a wooden frame store. For three years they enjoyed a monopoly until a second store was opened by Colonel J.M. Morphis and Prentice Price in 1889. This business was the first home of the Hominy Trading Company, which after a succession of different partners, and with a different name, is still operating today.

During the winter of 1895-96, two men, M.F. Fraley and W.C. Wood, formed a partnership and built a third store, made of locally quarried sandstone, the first permanent structure in the settlement, which came to be called Hominy Post.

The Fraley and Wood families, among others, came from Hardin County, Tennessee. There were ugly divisions in the social fabric in that section of the state where, unlike counties of middle Tennessee, voted overwhelmingly against Secession in 1861. Of the military companies formed in that area during the Civil War, half were pro-Union and half were pro-Confederate.

The Fraleys had deep roots in that area of Tennessee. A map of Shiloh National Military Park, over which the armies of the North and South fought, from Shiloh Church to Pittsburg Landing on the Tennessee River, shows a plot of land called "J.C. Fraley's cotton-field." At dawn, April 6, 1862, General U.S. Grant led 40,000 troops over the field.

Until 1903, the growth of Hominy Post, Osage Reservation, was slow. Traders supplied the Indian families, the cattle ranchers, and small farmers leasing creek bottom land from the Indians. The traders and their families, for the most part, made up the non-Indian population. A.B. Pattison, a blacksmith, was the busiest man in town, shoeing horses, sharpening plows, repairing wagon wheels, and building coffins. The mail came through twice weekly and was dropped off at

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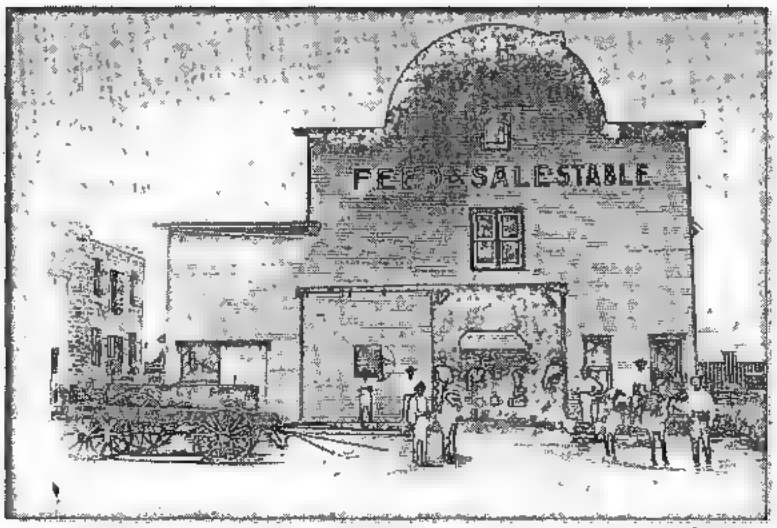


Author's Collection

Fraley Livery Stable, scene of the Fraley-Parker gunfight in 1908.

the Fraley-Wood Store. Charley Wood served as postmaster.

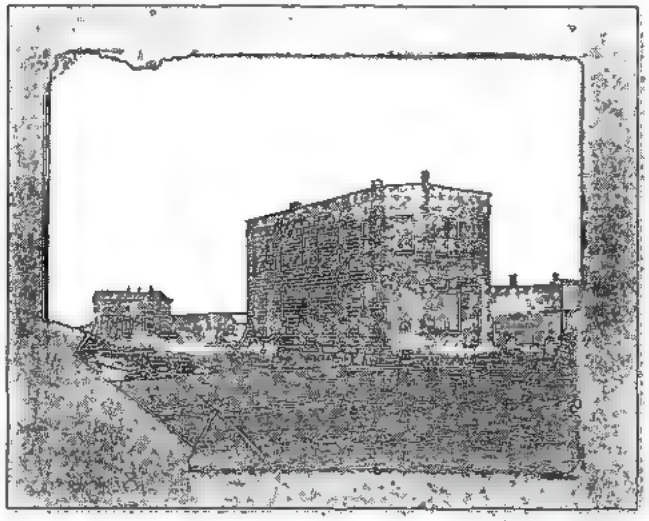
Life was quiet and uneventful until it was learned the Missouri-Kansas-Texas Railroad, also known as the Katy, was surveying a route across the reservation from Bartlesville in the northeast, south to the Arkansas River, then on to Oklahoma City. Looking forward to being located on the new railroad, the townspeople were disappointed to learn that the proposed survey would take the railroad two miles east of town.

The survey had reached Hominy Creek, four miles north of town, when work halted. The crew rested at the Blue Front Hotel and Boarding House. A big party was planned and held at the Fraley and Wood Store for the railroad crew. Along with plenty of refreshments came many suggestions as to how and where a slight change in the survey would result in the tracks coming much closer to Hominy Post. When the chief surveyor agreed to make a change in the proposed route, the grateful citizens presented him with a colorful Osage Indian blanket.

Grading for the roadbed began in the summer of 1903, with rails finally laid that winter. When the railroad put in a temporary depot, all the businesses, except the blacksmith's, moved a few blocks to the west.

The first Katy passenger train to arrive was filled with Oklahoma City boosters on their way to the 1904 World's Fair in St. Louis, Missouri. Hominy citizens greeted the special train with bells, whistles, gunfire, and a couple of runaways. The new railroad, which connected Hominy with the rest of the nation, would bring growth and prosperity.

About this time, for reasons not clear, Fraley and Wood dissolved their partnership. The split could have been caused by business differences or something from the past. Fraley and his sons opened a



Author's Collection

Bank of Hominy building, 1905. Doctor J.J. Fraley's offices occupied the top floor, overlooking the street.

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store on Main Street in a new two-story building just around the corner from their livery stable. W.C. Wood reopened his new business farther down the street.

In November 1909, nearly a year after he shot and killed Elmer Fraley, Dan Parker went on trial in Pawhuska, the county seat. Over fifty prospective jurors were called before a jury could be seated. A considerable number of Hominy residents, including the elder Fraley, made the twenty-two-mile trip to Pawhuska for the trial.

On November 18, while the trial was in progress, Hominy was again rocked when W.C. Wood shot and killed Wesley Fraley, one of the sons of his former business partner. Reports circulated that Fraley went to Wood's store and a quarrel erupted. There were no eye-witnesses, but shortly after the shooting, Wood contacted the sheriff's office in Pawhuska to report the affair.

The tragedy shocked the town because it involved two of the town's founding families. In less than a year, two Fraley boys were dead and the district court was kept busy with seemingly overlapping trials and shootings. While Wood was out on bond, Dan Parker's trial ended with an acquittal.

The smoldering feud took another bizarre twist when, on the night of February 15, 1910, while awaiting his trial, Wood was confronted by Marcus Fraley and heated words were exchanged. Marcus, still smarting over the slaying of his brother, pulled a pistol and started shooting. Apparently his anger threw off his aim. He fired six shots, but Wood was hit only twice, once in the arm and once in the shoulder.

There is no record of any charges being filed against Marcus, nor did he serve any time for the shooting. Just before Wood went on trial for killing Wesley Fraley, the local newspaper reported that he had sold his business to C.T. Reese and was planning to move his family to Tulsa.

The final chapter to this bloody feud was written, not in Hominy,

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but on the streets of Pawhuska. On April 11, 1910, old man Fraley was in the county seat on business and staying at the Pawhuska Hotel. That afternoon, as he was standing at the hotel window, he spotted Dan Parker talking with some people at the corner of Main Street and Ki-He-Xah Avenue. Pulling an automatic pistol from his luggage, Fraley walked out of the hotel and crossed the street.

Eyewitnesses stated that Fraley walked up to Parker, tapped him on the shoulder and said, "Hello, Dan!" When Parker turned, Fraley jammed his pistol in Dan's stomach and fired three times. Parker fell to the ground where Fraley shot him three more times.

Bent and shaken, Fraley returned to the hotel and awaited law officers. From his jail cell, he said, "I am sorry I had to kill him, but he killed my son and I shall never get over it."

Parker remained conscious until he died around 7:30 pm. To those present in the doctor's office, he left messages for his father, mother, and brothers, cautioning them not to continue the feud and spill more blood.

The trial of the *State of Oklahoma* vs. *W.C. Wood* in the shooting of Wesley Fraley took place in June 1910. Because of the tremendous pretrial publicity, it took five days to impanel a jury. It took the jury only one hour to issue an acquittal.

A month later, in its July 14, 1910, edition, the *Hominy News-Republican* carried the following story:

> Millard F. Fraley, who had been confined in the county jail for the killing of Dan Parker at Pawhuska last April 11, was admitted to bail last Wednesday in the sum of $20,000, which his friends quickly gave, and he returned to his home and family Wednesday evening. Mr. Fraley is considerably broken in health from his long, close confinement and worries over his business affairs, which however have been in the hands of competent people and

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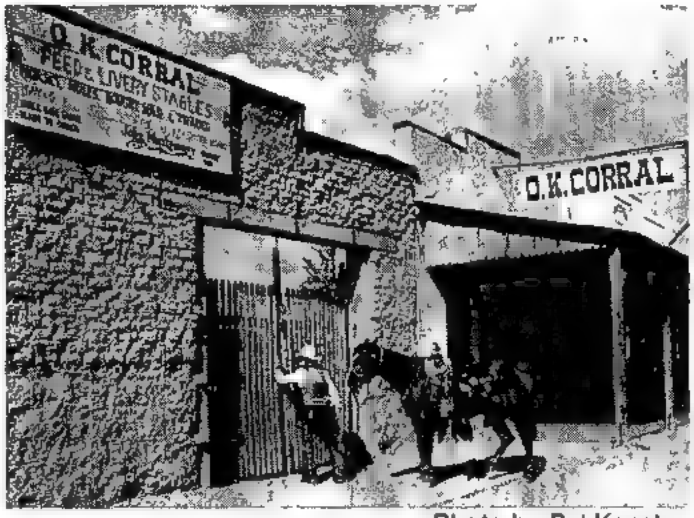

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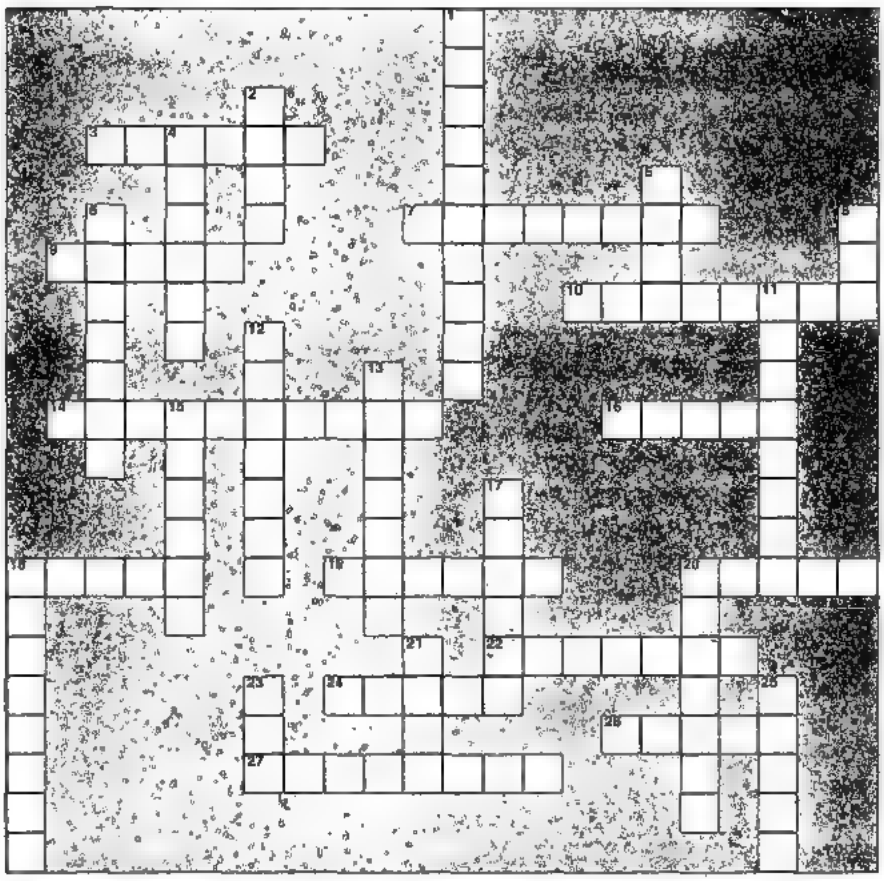

Across

3. One of the people looking for Bill Longley's body
7. _____ House Hotel in Silver Reef
9. Author of Inventing Wyatt Earp
10. Participant in the Norias Battle
14. Six Degrees of _____ theory
16. An accomplice of Wyatt Earp's
18. Kansas lawmen were referred to as "Fighting _____"
19. A possible founder of Silver Reef
20. Shot with a poisoned arrow
22. Saloon in Silver Reef
24. Mohave Co. Sheriff Walter _____
26. Henry Brown's wife
27. Town where McIntire was deputy sheriff

Down

1. Henry Brown was a member of this group
2. _____ Kitchen
4. Perryman's horse
5. Number of times Leigh shot at Jennie Bauters
6. McIntire mostly followed this profession
8. _____ Cagetano Fimbres
11. Henry Brown was born in this state
12. _____ Buckley
13. His body was exhumed
15. Lupe was a talented _____
17. Author of Hell's Best Friend
18. A blacksmith in Hominy, OK
20. Another Pancho Villa
21. Jack _____
23. T.I. "_____" Courtright
25. Sheriff Johnny _____

Answers to January's puzzle.

Across

1. kafir
2. Ohio
6. Hart
8. Larches
11. Bauters
14. schoolteacher
15. Kate
18. German
20. Juan
21. Bolton
25. Mochi
26. Shirley
27. ears
28. Stone
29. Eldridge
30. Elephant

Down

1. Keogh
3. Korn
4. asthma
5. Fimbres
7. Tevis
9. Water
10. Austin
12. Shotgun
13. Flipper
16. Garryowen
17. Olathe
19. Anthony
22. Comanche
23. Thompson
24. Ireland

well cared for. When seen by the NEWS reporter yesterday morning, Mr. Fraley had regained something of his old time spirit and expressed only his deep gratitude for the many friends who volunteered to lend assistance necessary for his release.

A sign of the times, or frontier justice, was served because Fraley's three-month confinement in the county jail was the longest time anyone served in each of the shootings. It did, however, bring an end to the feud.

Eleven months after Parker was killed, *The Hominy Herald* carried a local news item datelined March 30, 1911:

> M.F. Fraley and sons, Marcus and Dr. J.J., have been in Hamburg, Tenn. for some days past in attendance of the funeral of J.J. Fraley, Sr., whose death occurred at Hamburg last week. J.J. Fraley, Sr., was the father of M.F. Fraley, who with his sons are left as heirs to an estate which is to be between forty and fifty thousand dollars. Marcus will take up residence and remain in Corinth, Mississippi.

Millard F. Fraley continued to operate his business in Hominy until he died in 1936 and was buried in Tennessee. Before his death, he had his sons' bodies removed from the small cemetery in Hominy's Osage Indian village and reinterred in the family plot at Pittsburg Landing, Tennessee.

Dr. J.J. Fraley, the only surviving son, practiced medicine in Hominy for forty years and was one of the most respected members of the community, serving as mayor from 1920 to 1922. When he died in 1940, he was also buried in Tennessee. Ironically, at the time of his death, Dr. Fraley and his family were living in a large, two-story, frame house which he had purchased from W.C. Wood, the original owner.

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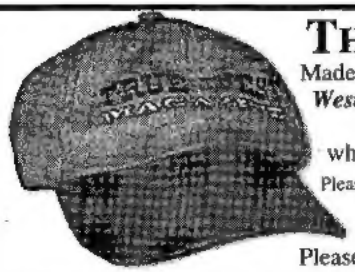

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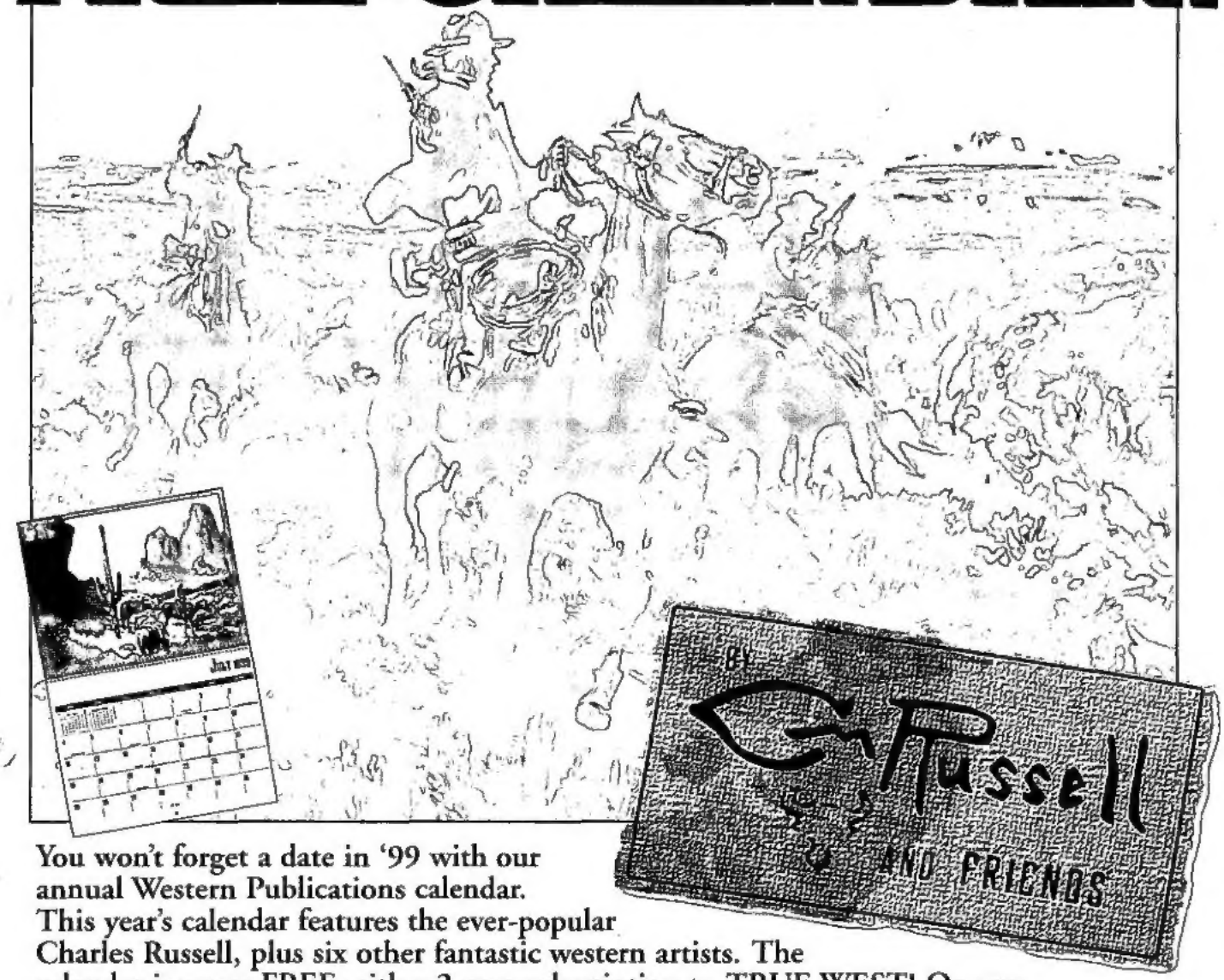

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